

If Summerpul daw. Chapter I daw, in the most comprehensive sense of ye torn 15's wile of action" prescribed by some superior, twhy infusior, or subject of it, is tound to obey I Black Com. no this grand were bution of the work, time if it stice The "mie" then progration, is, in the months with the of it presipable of aft exists of action, whether intellumal, or propored, unipate, or instimate (Sd.); and in you same Atest must, 1 him In this general acceptation of you Term, Sam mout, a physical, animate, & manimate; and the 13. To gent and accountable for the parties for subject to laws, or rules Ste of action for formation of their ductor forthe relained by the Author of nature ( ), 1 denominated Laws of Nature. By the dan of Matine & Copy hing the to and as a such of farmound torn, or condent, ans Butiff day of Nature, considered in a limited sense, and much as a rule of human action, or combut to is meant you remove the two of you for the the most thing as discounted by human reason pla, 29) in 4º gorunment of y moral world, or in other words, the moral can, as discound by human reason (Sa. 39). The Law of Mations is the law with subsists between nations, or wornings . late (Valted Fredim & 3); and consists natural justice, to Ze plied to rection, in their conduct toward, each other; and I of such organizary and conventional inter, is have in a

If Municipal Law then the the state of which come Chap. I. part, or by such a general, I long-continued mag, as Jupping an implied one ( Id. S.S. 5. 6. 9. 1 Black. Com. 43. 4 St. 86. Natural law, being founded on principles of right who inimal, Himmutake, is obligatory upon all nations, at all times & is suggested as sook, by all initioned states fatto be tim & of and consequently no individual state, a proper can rightfully enactory law, repregnant to it Watt I to Pelim. 1.8 Municipal Law, who is the principal or more immediate subject of inquiry, is defined to he a rule "If civil conduct messiles by you sayer some from in a State, commending what is right, and prohibiting "What is wrong! 11 Bluck Com. 44) (1) The concluding words, commanding what is right to are not an essential part of ye definition; and, as applied to an unjust, 12 univise law, are, in just, untime. But in ligal theory, tax contimplated by those who operally administrage can very rule, presented by prospreme pour in a state that is not reprogramt to you rendamental law, or constitution, of your is considered as just time, so long as it continues in force ( Mark Com. The latter words, commanding what parightic one not the an dential part of definition: Indust in place of an angust or union the property of an angust of the many theory however, they may be found the and an untime. In theory however, they may be found to he have the fall laws post incomment and

of Minner cal Law. Map. I Municipal law, Then, is yo law of long varticular State and is, to the individuals, who are subject to it what the course of nations is to nations, or states, considered as a moral russes, individuals, in relation to each other fatt I to Carlina . 4). htist, The municipal law of each sourrige state is obligation not only upon its our nation istizens, a subject; but also, upon unt, all such . Frangers, or alien, as are, for yo time being, within 1 its junistical limity to o fatt. Low 370 Codit 12ga. 107.138. 5 protection. n persons, entering into y territories of a state not their own be him of his their ing permitted to entir it, whatergrame, it 53. their consequent obligation to obey yo laws of you state, (continue) 1/2 continue only while they remain within its territories ST. The local municipal law of any particular stating, I all other states, a foreign law; but yo law of nations friends of remaining the grand of promising the grand of grand ann by all wirlind states, former constituent part of y law of win such state; and cannot therefore, be regarded as a foreign law in any part of your liveles world 4 Bla. com 67 (2) From this duty of local allegisme, however and aparty, souther ministers, (so a parating) being considered as repre-Ze sen taking of yt solvingers, by whom they are commissioned are exempt they are therefore, not immental to the municipal laws of The state to which they in sent (6th d. N. 5. 15, 25, 55 51.92 Mich in 253.)

The state to which they in sent (6th d. N. 5. 7. 55 51.92 Mich in 253.)

The state to which they in the state of the state

of Municipal daw. Than I. Con we from town of exclaring granual nature, thementary principles, of municipal law as introductory to a more fitte faire of dear on governing by Sir William Black. stone, in the Introduction to his invaluable Commenteries . on the Lang of England; cited and shall therefore, on this . But of the Title, attempt with else then an existence of the second and third preliminary Sections of those Comment. aries as appears most important to the student of American In yt first place, then, Samiespal day to father just according to a definition, always given fit, is a rule not a tranhint order communing in westing or weight, to be complied with, on some special oriain, to and it being fulfiller, to twh, in y' words of y. same learned commentation, is cease; but a regulation permanent, uniform, and unirenal "/ Black Com. 44). Multo by you quality of permanency to not meant that go rule must be propertied ( for timporary laws are sometimes enacted; but, and that it must be promised, within without limite time of times wither unlimited in point of Amedian, or restricted to some determinate prefixed purion of time; and not such a more hansient order, as is described above. And therefore, an act of the ligislation, authorizing that a sale of ye lands of an infant, does not constitute by wanted correct notion of a municipal law. In you how four of y ret is exhausted expore . A. B. and does not concern the Tale, in very classofy community, It is therefore, rather a sentince, or drive, then a law in you nature of in saufe tion to ye more with consistential

Chap. I of Municipal saw. Again: The proposition, that the rule, where stitutes a municipal law, is must be "uniform, or universal," cannot be understood to mean, that way such some must operate, ly 15.a throughout you whole realm, or state for local resuge, of liquilation inautiments, saturding confined, in their operatim, to particular districts of a state, may have ye free y issuntial inarrates, force of laws (1. Ma. Com. 74); but murely that it be general and not personal, within its with limits of its own operation. htel must, 1 hich 13. Municipal law is , also , a soule rule , as distin-1/2 quished from a compact. The latter is ye act of ye party, State whom it linds; and ye obligation, whit imports upon him, is enated, by his own voluntary aprest: Whereas you rule, to of who we are treating, is presented by a supe rior to un inferior; and ye obligation, realed by it to france in you destroy obidiones flows from & duty of obedience (Sa. in ans II. Ais, moreon, a rule of civil conduct; and is, as such distinguished from natural law, whis a rule of moral conduct. The catter regards man, for assistant the Amount was to be constituted to be first to a little of ton-ZL government) as a rational faccountable agent, consider 2 as a member of human winty, of independently of y. ins & institutions of human, or civil government: The former regards sim and member of wirt visite, or a subject of wird.

If Municipal con. chap. I. grownment; and superads to you duties, toursides enjoined by trateres natural law, others, who result from the condition, and relations of wird society The municipal law does not powerer stampt, or proless, to enforce all y duties, injoined by natural law; but in general, limits its requirements to those whe are called duction of perfect obligation? living proberwhat what our termed duties of impurited obligation," such as timesolume, gratitude, charity K), to be informa, by yt divistion of natural conscience, or yt mosal June of presuming of indinornals (3). III It is also spen tral, according to 4th definition, and Sifore given, of municipal low, that ye rule, whit adding L'mornited" which constitutes you care, be "presented" a in other words, that it be promulgated, before it to goes into operation of 1/8 in som 45- 61. En down in the service forther production of general principal that the fransactions of the subject, or citizens, of a that should be made light, or illegal, valid, or voice, by and an enactment 13 Duter of purplet of ligation are those, who may be reached (late I I trading) Duties of improper obligation fas those matterine in ye tout and such, as can be informed are informed by no other carretion than that of moral influence, or a sense of right, acting whom the with human will.

of Summingal Law Chap. I. not monulgated, when ye transaction, themselves, took place that a contract, conforming, in all respects, to ye layer, existing when it was made, should be undered tong with its of. a rule, attifuma, ordained; or the what doubt be the more prigner that an act, not fortidam, at y time etic when it was done should be declared stught of htel made punishable by subsequent to enactment. unt, considered as personal representations fundamental 1 Just y or chimal just of fine it has become usual, both in Ingland I in this country on y' inact ment of a new law to name a certain future day from tafter which shall effect. him 13. 1/2 Undery thusant head, it is proper to take notice of what are called retroactive coursely 4 which I have ( is the form of the fact to bet to soit Lower section to the banqueticity) is law intended to control transactions, who took place, or rights who existed, before ye law that was promulgated, is enacted. 6 of soneral For all retraction cans are not export facts grundling Vi present has a it is prefer to assisten take notice of remove the time tours, but I mean bours, not only homely and but inaction, of a se handation, a whether old to affect
prince or hast
or hast + they are to them, is, essentially retroaction of this kind is any enactment, making voral, a prior contract, whereas eviginary talid, a impairing principly with right of any from lost. In this general and clay on also comprehended what in termed ex post-facts laws. In all laws, of falling under this dinomination are retroactive, in their operation.

Chap 1 of Municipal Law. But will retrocative land one not in part facts But all retroneter laws are not termed ex post facto, In an ex post facto law is a retroactive penal land 1 Black. Com. 45. 3 Dull. 385. 391); in a law, Julyerting any one to punishment for an act, or omission, who took place, before the law itself was many land in this sense, only, is you turn, " report facts law", proplayed in you to be sundustrook, of expounded, in the judicial tribunds of this country ( 3 Dall. ut. sup.)! Refractive law, then, may be said to constitute a gener of whe in port facts laws in a species. The latter, however, are, in all inhightimed nation, regarded with runwally, general ordium, as being arbitrary, tyrannical and repregnant to ye plainest fundamental principles of criminal jurisprudence. For there can be no orime, with where no law is violated; and it is self-wident, that no law can be violated, before it exists. The constitution of the United States, [art. 1. 1.10], has then for restricted y legislations of the several States in the American Union from paping "any ex post-facto law"; and from the tegislation inactment,

of Municipal Law. Chap. I. contravening this restriction, is unconstitutional, & void. By ye same article, ye sweat state- ligislations are fortisted to pass any litt of attainder"- for partiale, of you tropold sharactor of an in part fauls lungared of a ly 15.a perdeportate, or destince from money in persuance of it 4 House lom. 259) - a proceeding whimstory the vening tothe ligislative & judicial pours. The such a lite par htel must takes of the terfold character of on 12 post facts law, 1 and of a final sentine, or judgment, in presence of it 4 Black. Com. 259). hich 13. 1/2 (sup. 18: top) The same article in your constitution of the Smith Statis in the legislations of the survey states to hat any law, "impaning the offigation of contract,"

In the construction of this there is it has been determined by the ship retitled,
by the Supreme court of the United States that a law of any state desired the person of an insolvent destro in ans from imprisonment, for his delts, on the Sun inder of his property for the set of his inditor, is not within constitutional of valid: Beaunch an insulment 4 Whest. 122.209. 6 Id. 131. forcing contracts, without affection the obligation. For the delt, is duty weater by the contract, remains unaf. Le justed, by the law; and the debto's property which, abone, constitutes the means of satisfaction continues stick liable to the claim, of his creditors, to the same extent is before the law was rapsed.

10. If Municipal Law. But an wir of any state- histature, which pm. ports to discharge motiont distor, for a uninder of his the nounto, is in the last section, som all cutto, con-Tactia previously to his list harge - in other words, which perforts to and the might as well them future acquisition of brokenty as the person from all hubiling the said to compate such debt - if within the above prohibition, o conmin of the self " your is voice, is being unconntitutional ( 4 Wheat. 122. the putine how 20 9. 6 Sd. 131. 12 Sd. 213. 3 Com. R. 253. 314. 47 2). For as such a in places all means of profestions into him the debtor's contracts, out of the reach of his reduces; it virtually mains the obligation of his contract, and the rule have some in farmer with its with to suits, wought in a count of the same state in which the act was paper the sonart man trained, and between partin, so to were both citizens of the determ state as to sent suits hought by citizens of a different that, i'm a com-The different tate o whest ! 31. But in a case, subrequent to those, referred to in the last section, it has been resolved, by the Supreme sout of the initia tates - though in horse division of opinion-that an insolvent law of any that, discher discharging not only the person, but his future acquisitions of inspects, is not a saw impairing the (4) By the four judges against three Whither this determination

of Municipal Law obligation of contracts, where as us justs dutis, conharted after the passage of the law (12 wheat 219): But it was also detrypained, in the same ease, you ly 15.a a Jospilar division in the spinions of the frages, that a discharge wo of a det unfur such a law, is no far to an action, house they a citizen htist of another state in the court of the livilia ment, State or of any other than that, in which has appeared to to the appearance of the sound from the state in the sound to th 1 him the contract, must be duried to have been made, in contemplation of the target, with a tail indu-13. - for Standing between the parties, that the wight obligation, was trade to be qualified, or dishard, properties of the statute: So that, aunting by the statute: So that, aunting Ste the state of to this reasoning, the contract is deemed to have been made, subject to that operation, by the mulual conin best, or understanding, of the parties. an But it way also determined in the same con, by a smith division in the opinion of the forey, It, that the propage of a dubt, under such a law, in te any State, is to bon to an action, trought in a vitim will us timulity privail, as your of you and, is perhaps, commonat doubtful.

de Minnie ras Lunof a different state, within the xational court, or in a sound of any other that then that, in which the discharge was obtained & wheater of Part it was als delimined, in the same case, by a similar division in the opinions of the judges, that the discharge of a delt, under such a statelaw, is no bur to an action, brought by a citizen of unother state, in my of the national courts, or in the counts of any other state than that in whithe discharge was obtained (12 Wheat 218). This mode of the serior principle, stated in of last section, would sum to have been the the started by we considerations suggested by your consideration, that as go law of any particular state has no extra-territorial authority this law of New book ought not to affect yo rights of outsiter, who are citizens of any other state. The they in which was superior (5) As, however, a law of the kind, here supposed, acts not much whom the oridities unity but whom the duty or obligation, mated by the contract; it is not a it the production by the man is not my obvious, why the differ different classes of orestitors.

I Summiful Law. But retroactive laws, not penal, are no further ustained, by you constitution of you limited Italia, then by yo prohibition, wit has now him mentioned. [1. p.g). Such lang are not, therefore, as a class of land, potist-ly tice den, by that instrument; since it contains no provision in whaint of retroactive laws, in general. No me laws of htest Hate of New Hamp. Kind forbidden by y total constitutions of y sunal must, States of your union with growingition 1 13. Such laws are, however, in y theory of climentary 1/2 purisprutince, during hardly consistent with grijust of Ste (I Black Comm. 40. 2 hat 1922. 10 Map. R. 245 theoretical is to no means for from bring universally observed, in the force tical Legislation) practical legislation; and there is, purhaps, no ligislature, who does not oreas conally in find law of this kind to be newsary on grounds ans both of public expediency & of private justice. Home, Itatutes of this class are to be found, among yt acts of most, or all, legislatures; I have generally been approved of it Janetioned, by yo proper the bunnes Dong. 601. n. 3 Dall. 386.395: 4 Com. R. 209, 222. 10 May 18. 257-261. As, houses such laws mosest generally distant in some degree for wisting rights.

## If Stroningal Low.

Still, as innof this kind must in some degree, interpret with pre-existing instead right, it seems seems to generally agreed, that they ought not to be enacted as with in exiginity, whomy manifes to demand them; but that when they are charty conducion to the public good I conformable to the principles of private justice, or next trad equity, legislatures one insified in marries to courts of justice bound to enforce, them (sid).

There with indust, occur, in y afairs of puraps wery state injuncture, of clearly amand such as action who on grounds both of public utility of private pustine. But for sum or was accounted for insularity of this kind occurs, when he reason of a proportional misconstruction of some wasting sum or in conscious or in it, construction of some wasting sum or in conscious of a some or present deputing law or in conscious of an invest, inflored to have become established under it, one found not to it consummated; and thus y and, proposed by grise have not him attained. In such cases, it for becomes the further interposition of the lighten becomes the found, both among the latters of the lighten that it have left took a more to latter of the linear. 15. a. must at # p. 15. In many instances, statutes, not proposally retroactive have become so, in fact, from the rule, formerly adopted, in the English courts, that every ligislative markement, not expectly presenting the time, from which it should take effect should go into operation, from the first day of that or pion of Carliam ent, in which it was properly dur. 91. Plower, 79. 4 J. Pap. 660. 6 Bro. C. 553. Bu. Abor State C) This rule, framed apparently in hors boy to the ) Tounded whom the fiction, that there is in the a session of the ligislature, as in the term of a comno pactional parts of time, I that the whom entire period of the session is a punctum stary or indirisible point, fixed at the commencement of the usion, must pregnently have given to the tours a retroactive operation to lawy, not intended so to operate. For him enacted in a late Mage of the session, but taking perfection memperity would often over reach & affect all intermediate transactions, falling within its proview. But the evil effects of this fiction, having at length, attracted the attention of the mitish Carliament, the it is provided, that statute (out providing the time appointing no time, for the commencement of their operation, shall take offert, from the time, at which try receive the royal about

15.6.

Before this act was paper, it had been once delimined, that if two statisty, enacted during one the same session of land from source found to be inconsistent, what was the that both of them could not take effect together, want of they multiple newfalling, or repealed, each other to the extent of their repugnancy Bac. Abr. Stat. (2). And they appears to be a light inste conrequire of the former original rule, strictly applied: For reweding to the fitter, in which that rule was formared, both statutes
there has been enacted, at the same day, there at the same moment; then some enacted, at the same day, there at the same moment; then work resolved, however that in such a case, the actrial day in which the two sets were was paper, might be
shown, by proof; that the one, which was in fact, the latter in
soint of time; should repeat the other, a far as they were reprepared to them; should repeat the other, a far as they were re-

In the Minited States, it seems, that no precise such has title of late, established, as to the time of a statute's taking effect, when no time is appointed, in the act itself But it has laterly been lately restrangly by the Supreme Court of the le. I that, in such cases, the act takes effect from its dately wheat 184 th field I fallow, 82.76 has 477 !: I such think to objection This rule seems also liable to objection; for until the publication of a low, at last, the subject of it cannot generally be presumed to know of its writine; it a courier may wape, between its dash of publication.

In the state of Commenticut, a rule, somewhat more per from encition; has bun established, by the legislature: For, in the year, 1821 it was insected, in that state that all public states shall lake effect from the close of that session of the legislature, in which they are keeper unless otherwise directed, by such statutes that some well, 525?

of low, not regarded with January it received to

pend, are not regarded with favour, except when they show the favour, except when they show pear to have been demanded, by you dictates of manifest exhibited bortaine, that no statute should be so construed, as to furthe strong unless you intention of the land clearly exhibited to operate, is manifest and plainty clearly exhibited in other words, that a retroaction effect should be so fund to any statute, by muc construction (2 Map. R. 143. 6.2 branch, 272.

But, subject to ye institutions of cautions, who have been supposted, such statute, it is believed, are, at this day, generally duried constitutional of valid.

# [ hunt have p.p. 15. a. 15. 6]

But the inconvenience of their sural rules is into a quat measure, obviated, by the prequent practice of prefixing in public stabilities, the some cutain future day, from which their effect shall commence: A practice; which has become usual, but in the action up, tof the sural state ligislatures.

in what

"prescribed," or enacted, is yt supreme power in yt state; to
this is, in all cases, ye legislation powers (Mark. Com. +0): The
hour of making laws, for any sometime state, being, in its matime, of highest poor sometime power, affecting to whate
other civil powers are inferior. The legislation or known,
home is therefore, ye highest power, that in manying or known, in ye
function, of civil government. For ye power of expounding, to that
of executing, ye laws, we exercised only in obstime to ye law, as

If Munipel daw as prescribed, by you ligis latine [3] All uppelon vivit for nome we tought free tout (3) In all regular wirl for imment there are, epentially, whether so designated, in capilly terms, or not, three distinct constituent powers: vis. 1. The liquidative, or yo power of making law; 2. the judicial, whis ye power of expounding them; and 3. the execution, or y. power of putting them into execution. lind com where - as in some as betrey governments there three are all lodged in one I't! Time body of min, or com in a single individual, of exercise of them is still of exercise of The distinct pours, or puretions, of government. In all ye formation of all institutional systems of government, it is durand of you atmost importance to you presention of our civil librity, that these three powers be presumed, as far as popula distinct from each other. I that he depositioning of any one of them should where in you existing of ither of you then two. But there is, still no existing count constitutron of civil gomment, in who there pormer are kept onterely repeated it has been found practicable I've perint, to kup there y varing of the power entirely soparate from each other. John of your time functions of will government are by a most specific assignation, turned sommisterial; others are called, sixpy, oxential The hower of making laws newparity implies that of altring Krepealing, such as always wist Built Start I' For souriega power, though wilded, at different times, by different hands, is still yt same, at all times; and to restrain, in my dyne, its right to alter, or a brogate, existing laws, tions would be to impair, in y same degree, its essential Supremay, For hown of making laws. The ligislation power

may, indust, be restained, by yo fundamental or constitutional, low of the the, wh are paramount, in authority to all acts of ordinary legislation, but in you absence of such a restraint, of legislations legislation from is, instimited in its nature, unlimited.

There ye concluding unds of the definition of municipal law "commanding what is right, to prohibiting what is wrong"- it is not to be understood,
that every thing, commanded by lipitative martinent, is
in point of fact, "right," of that whater such more must
include it, is, in actually accompanily, "unong". In ormune
from tits, is, in the surface tionally may be, of here
lumine of unjust laws unquestionally may be, of these
lumine of unjust laws unquestion, then, of this conlum martid. The true comparation, then, means, many,
cluding clause of ye definition, then, means, many,
that are constitutional martments are, in legal
that are constitutional martments are, in legal
that are constitutional martments are, in legal
theory, just the right, it to be observed to inforced, as such,
while they continue consispended in force, i.e. while
while they continue consispended in force, i.e. while
they are repealed; while they remain unreported.

of Municipal Low. of the Interpretation of laws. The interpretation, or construction, of law is than proup of mind, by wh y pressing, of intention of as lawy in for marketing is, is assurtained (For y) expended with of or bumping or definlation constitution go long And in all with balanced governments, in why three quet departments of will power topy states are separated from each other, by will defined boundaries, y. authoritation construction of ye laws of the is 4. appropriate province of its courts of justice. The justice of the tilames There tilunals respecially those of you superior class, being considered as 44 "tracks" of yo low. off state. In secreting for you true meaning of a law, of inquirer is at liberty to consult or of any of its harts, in past, go inquirer is, in go first place, to consult yo language, in whit is expressed; and if any doubt exist, in regard to its true & preise meaning, he 4 there it liberty to about to you content, go subject matter, in effects of consequences of and other defends interpritations, o finally, yourse, & spirit of yo law (Black conz. 59). Home result ye five following kules of internation, by we judicions application of me and of wit, a some of wholes we taigener of ye can may appear to resure of the

intention of you ligislation can searchy fail to be discount,

I The words of the law are generally to be unfustored in their according to their most known, usual of proposed is signification; but terms of act, a licknical terms, are to be taken, according to their acceptation, among the learned in the art. Hence, when any term, to which the sommen law has apigned a technical, or appropriate meaning is introduced, in an act of the ligislation, the time is to be undustood, in the same, annoced to it, by the common law [1 Black. Com. 59. Bac. Als. Stat. cl.4].

2. If after the application of the above rule the specially a meaning of the law is still doubtful - as where a works, phrase, a sentince, is ambiguous, or equivocal; its him import may programtly be ascertained, by comparing it with the context / Black. Com. 59). For it often happins, that a for word, in pupage, which, detached, Halem by itself, appears to require one particular con Shutin, is by its commercion with what muches, of follows it, satisfactoring found manifesty to require a an established different interpretation. Describer a socie, you towns Massin in the introprestation of languist, in the farming a judgment of individent observator judging of the asserted of my The familiar axion, noscitur a Joins, is as unfully imployed in interpretation of lang tan. quay, quarally, as in judging of the individual cha. raiting of min. For the same purpose, the preamble of the law, ot other laws, relating to the same subject, man Tomations be unefully consulted ( a).

5. The last of most important rule for the interespecially a remedial onepretation of a lawy of which the language is dubious,
is, that its reason & spirit be consulted: and their
sometimes the cause, or significant in the second of the law
itself; of one to be descoured, by asentaining the same,
or motion, which induced had to the markment of the
law in guestion.

From this last rule results what is called the equity of a low, which has him defined to be the conrution of that, whenin the law, by reason of its unionsality, is deficient." But this definition, for-marked, as it is, with depth of comprehension of thought, appears to wanty nothing more than is along soproperty viz) that the equity of a law is a construction of it, agreeable to its reason & spirit. A mode of interpulation, which per mits the letter of the law to be inlarged, or restrained, as the reason of spirit of it may require. The principle of equitable, or (as it is sometimes called) liberal, construction laterate negerins a somewhat detailed illus. ration-which be attempted under the head of The Construction of Statutes; as these constitute that branch of the law, to which the the rule of eque table construction principally applicable.

of Municipal Saw. Municipal daw is divided into kinds or branches: ! the lex non with the unwitten, or customary law, 1 2. the les with the written, or Statente law-(Mark. Com. 63. I. The immitten law includes not only, lithe comaca non suipta mon law, properly so called , or the general custom any law of the whole state, or kingdom - 2. particular tind only to purcustomy- and 3. particular laws observed only in tuntar districts, particular courts, or junistictions (A. 67. 68). or parts, of the state-At this three subdivisions of the law on stilled "unwitten", because they are not originally established by written enactionents, as a acts of the ligitation are; but derive their authority as land, from unmemorial usage which implies a general assent to their abortion of gives them the force of laws Id. 04:07! And because they was thus founded on usage, they are denominated customs, or customany laws. I. The common law is a sinual continuous throughout the whole realmost parties I. The common law is a general custom to more saguest collection of customing muy racking in the property of a great builty of such insurance consting extending our the whole realm, or state, though subject to such exceptions, as particular custom may have cotablished, in particular districts, or parts of the . Tate (Sd. Oo). For particular customs are in the na-Time of exception to the general law of the land; maxmuch as they constitute local rules, having the form of laws, but diffining from the general law of the

The common law comprehends that great you. I'm of principly by which abroarded the sind rights of the state as well as those of the state towards its subject, or citizens of the state as well as those of the state towards its subject, or citizens, are as certained, & inforced. But the immon law, buch only suffer, as may form a part of the fundamental or constitutional, law of the state), is, at all times, habe to be altered, or abregated, by the ligislature.

The common, tall other branches of the un.

written law, depends, for its authority on immemorial usage - i.e. usage, that has privariled, time
out of mind, or, in the more formal language of the
law, "time, whereof the memory of man runneth
to the contrary," [St. 67. 08. 2 Id. 30]. But in the law
of England, the time of light memory extends back to
the acception of Richard. "the First to the English
throng, I therefore, any custom, or usage, which can
be shown not to have existed, at the commonwement
of that monarch's reign, has not the cannot, questing
to that monarch's reign, has not the cannot, questing
to that monarch's reign, has not the time of light
memory, I consignated, within the time of light
memory, I consignantly cannot be immemorial.
(2 Id. 31). It was be observed, however, that

Of Municipal Law. This rule, establishing the date of light me mony from the austion of Richard the Fust, is was adopted, it seems, when the statute of Westmisuter! in the third year of Edw. the First, established the night of the former seriand of these monarchs, as the time of limitation, in the writ of right. Yel, at the time of the passing of this statute, construction by them the con-only about 80 years from the acception of Kichard the First, of consequently, a custom, which was had wisted through this latter period, was then durined immemorial. In analogy, therefore, to the reason, or fif it may so be called, the principle of the rule, thin adopted the latter period would rum sufficient - 10 far as regards the newpany duration of a custom - to give it valitity, vide ditt. 170. 2 hol. Ab. 209. pl. 10) But the rule, fixing the date of legal memory, as about stated, is allogated theoretical, & indux, a legal fiction - as will hurafter appear. The common law bring munitar, the gustin will naturally wise, where is this branch of the municipal law to be found? For in an age of letters, in cannot be supposed to be preserved, by the some of human money memory or by the equally fallible means of oral tradition. The unsur to the genes tion, then, is, that the common law, or more correctly sheak ing the intimes of what is is, are to be found, in

of reports, containing the judicial decisions of such of reports, containing the judicial decisions of such courts - t in the teating of the learned in the law [Black Com 04.09.71). Common their sources of information, a know large of the common law is to be derived; It asculain I expound it, authoritatively, is the appropriate province of the judges of courts of justice [Sd. 09], who are styled its substitutions, I reaches.

But the mimorials, or monuments, of the common law mentioned in the last section, are only withmer of what the law is. They are not the law itself; or in other words, they do not constitute the law, but morely de clare it whereas and of the legislation constituting the inactionist of a rule, by the ligislatine, creates of forms the rule, thus inacted But that the records or upon points of the common law, uponts, of judicial finition to, are only exibeness of what the law is, uppears, clearly from the fact, that such decisions have been, + till me, not unjuguenty remuled, I mulaned to be not law- which could plainly never be done, if a judicial decision were, itself, the law. Atile judicial decision, emanating from the higher higher higher most of justice, are the most return to the coint of principles, are the principles, and so the law, of those constanting rules x. dortrines, which form the body of the common law lind such decisions, though regarded, in theory, as more withme of the law, become, neverthely when string to men, by subject subsequent adjustications, offers, ac quincing practically as authoritative, as Equilative inautments, of as precedents of justice, according to the laws Musique of the state, are constrained the points similar

20. of Memicipal Law. A precious, in the legal auchtation of the term is a forma judicial decision, on any front question point of invariant coming in question, it is therefore, prima faire prima faire law is But, like other prima only woodeness of what the law is But, like other prima face with me fit towner conclusion, souled satisface toy warm can be shown against it it cants the burden of proof whom the party who objects to it, I is to be fellourd, when the sum question again wins, muly it can be shown to be maniforty abound, or unjustwin though the reasons, on which it was founded, may not be apparent (Black. Com. 09.70). Otherwise the law roust remain foreir unentain, Since the duision of every light question would deprind, entirely whom the discretion of the individual judge, or lovert, to whom it might be submitted; and all civil rights, duties, of brubilities, would forever remain much conjectional; In wil, harty lep to be defree cated, than the water to absume of all law. - "Stan decisis" says Mr. Institu Budler, is the most important maxim of the law." (1 East, 495). The projection to add by formation, interes as well to the judicial construction, a least to which have before bein given to the the statutes, of the state, as to former adjudication of question, aring under the common law; I for the same reasons. On took care, the present on the former case, the present is as olemn + authorite an exposition of the written, as, in the latter it is, of the name unwritten, law.

I Municipal xair Precidents, however, any historities, to for which they directly decide. The incident the court on collateral points in the reasonings of the court for the purpose of explaining & indicating its decision, on the present quision, to be determined, form no part of alone, is the present decision, or judgment, itself, which is alone, the sentince of the law); and are, therefore, no part of the president Herry such collateral, or anxidiary umarks of are called dieta, a obiter dieta, or gratis dieta - term in tended to distinguish them from whatever forms a constituent part of, or is murparily involved in, the direct decision of the court. A is not to be infined, however, from what has now been said, that these dieta, unanstry from any of the superior hibunals of the state are to be wrolly distribute the respectful consideration of meeting judges, tim the about of direct judges authority, may often sometimes assessed justy influence & govern subsequent dicisions The other some abready mentioned, from which may be arrived, is forming to be found in legal treations company by bourness jericing in the works of learned juring, which wonfrom a body of what is usually called text law. But

of Municipal Law. The heatists of such authors and in shirtings, anthoni ritis per se; & induce, popula no otto landing further linding fore, than as they are found, or presumed, to be widome of points, formuly decided, on, as they have bun afterward vanitioned, or approved of, by subse quant judicial decisions. The more extrajudical opinions, or speculations, of who learned table jinists are, not originally of intrinsic authority - because they are extrajuticial, & unofficial. Still horrow, works of this kind are listful amiliaries to the law-student, the counselor the judge; and principly of them, as have long- statistical reputation former works, and, in very days experience, cited, as authorities, both at the bar, ton the binch. Such recent legal treation ulso, as the received a prescription unction, from lapse of time, but which command themselves to the approbation of the laged profipion, are dumed worthy of citation; on the points, if which they heat, Though no Preparation with the same review, as the mon uncint & tunders works before almost of works of this high clap, Sirls. Blackstone enu moster, byling of selection, Glanvil, Bracton, Britton, Fleta Jinghum, dilleton, Stathum, Brooke, Fitzkerlest & Statingfore, & Coke. To these season, might be asked operander, assist of moderne 1 Conson. 72-3.

After this very being encounciation of the common of the common of instance, or general customs) may be obtained it remains to consider, whene or how this branch of the municipal law nigination, or come into existence. And on this point it seems infecient, to say that the great frame of the common law to say that the great frame to produce the common law to and the first wind the land of justice, in that king dome in other word, by a long succepion of supright & illustriony mun, of whom that land of great minds can boast, thus of the system of justice the most principal to the system of justice the season that the system of justice the season to the the system of justice was great in in saying that it is an about the more exaggination in saying that it is an about monument of human wistom the

But former of justice are not the supreme, or legilation, prover of the state the question with naturally occurs how am a well of wind conduct, promotioned prescribed by these tribunal, be stated with the authority of a law-which is has been always refered to a out, prescribed, by the supreme power of the state? To this having it may be replied, that the universal they continued prevalence of in the acting supremale

12 Municipal Law. the witten of a state presuppose, a fairly implus, it is reasonably to infor that informaly it is reasonably inapprovation; and the proper han sim it their assent & haistature, in the existence of the oute, may is regarded, as a tacit legislation confirmation of it. Eind they the gustom is considered, is having the virtual sanction of the suprime power. [Introduce, hore s./ t.) p. 31. I It may still be asked, how the great body I the common saw, in its present state, can be, in the light since of the term, immemorial? since many important parts of the sum some interesting of it sunknown, at the acception of Richard I to the Inglish Throne. This difficulty in light theory, artists from the themetical or wither they fictilizers, thenetially, by the consideration, that the quat principles, which constitute the basis of the com-mon law, are those of strong of immutable justice, which are newpority the same, at all times whence it follows, that modern duision, on points never lefue determined, in considered as widene of what the ilur, as to those point, must originally, or immemorially have been This explanation, it is tem, warmer suy your not eatend to the much autificial the hours feel with most attendicioned and to the surgender stablish the qual town driver of dight of word, the wife of sending reonly according to the enformment of those fundamental principle

of Municipal Law. It may be proper here to remark, that the esta-Wishment of a body of ununtin, or custom any law har being absolutely in dispensable, Voit in injustice To no judge would be able to offere even the most simple townsion of statute law, without are ling himself of such weles of the unwritten Law, as most apply the case in question, a forming existing pour rules of his own, for the occasion ! For Statute law, hing muly a misultaneous collection of provision, unconnected with each other, & in a quat measure, of mue positive institution, carrent to numberly made to reach only a very made part of these cases to exigening, to which the municipal law of way civilized state must extend: whereas the common Cour on many a comprehensive, connected, & Mystimetic methodised ystem of principly extending to all butinof perfect obligation, as well as their conasponding rights is to all avil rights & duting the forming, as to these, a system of othics (0). Finds important to is observed, that the Course nations - or more pricing, that, which the line is (0) In the remarks by his means to be undentood is presenting to decide, how for the personal that with the superior that the secretary with the superior to defination; which, as I understand the time, means a transformation of the ontice body of the municipal law into a code of written law. Criminal law, a that branch of the municipal law which relates to every openishment, species to offer the most favorable subject for the taparen ent, as that branch of the law infounded on principles, book fever t more simple, than those, which regard private rights forough Tuck an under taking , for anded to all oraneher of the law, would certainh offer appear to present quat difficulties. Even the Code Sapoleon ( + many)

II. The second branch of the immeration saw of ingland consists of particular constons, on local ringy, which have the anotherity of land, in particular districts, which have the anotherity of land, in particular districts, which are of my force, by the total land, and those limits I Black. Com. 74.2 Id. 203. There local beyond those sometimes, colors, land, freezed, in harring Englash countries, cities, land, prevail, in harring Englash countries, cities, land, brought & manors I Id. 74; It appears probably abound, towns, brought & manors I Id. 74; It appears probably abound, as with in most other European countries, as in England. They form when they proved from the prevail, exceptions to the general law of the land; If he usually regarded, I christed, where they provail, as privileges, or immunities, not involved by the surfice, as privileges, or immunities, not

This branch of the Ishuritan law of England has sure produced, in a great measure, by causes, which can have searchy existed, in the itneted States when the putter kingdoms, into which England was asseintly divided, true the brought under one common, constituted dominion, the subjects of those wereal minor sourcings ties were generally within the repetition from the former town t institution. Ind in like marrier, when particular provinces, cities, or other districts of country, in different king dome of continental comparts of continental in a new somewhat have from one dominion to another, either by impulse, to return to a present of the subject, thus transferred to a new somewhat the some particular for their riginal distance to premier to some particular some factor of their riginal customs to have he such case, they cause the state institution, the returned have been particular customs to the sure particular customs to the sure particular customs what he called, in the inglesh laws for particular customs

det to partition law instance to legal is to the rationity, or legality, of a particular custom There are "even funtial requirity, the its one of sitter which, or of any me of a lich, remains the custom itself tria. There requisites are the following: 1. it particular custion, to be an theritation, must, like a general sustem, be imminarial: 2. It must have been immenorially continued, without interruption. But his requirite, no more is meant, than that the right which the turns of the curion about there I must have been uninterrupted; because to sure of the ringing a resival of the custom, after an interruption of the with would be a new commencement of it; and the very act, that this commencement is susuptitle of proof, shows the custom to be not immemorial. It, a temperary suspension of the venere of the right does not moderate destroy the custom. \_ 3. It must have bun peaceable, & inquiesed in: For if it has been immamorially contested; that fact shows the want of that Common consent, in which all such constant have their vision. - 4. It must be reasonable or rather not un reasonable, in judy meat of law. But as regards this requisite, the custom with in held good, unless shown to be against reason: For the burden of proof is whom him, who objects to the custom . \_ 5. It must be certain. Hence, if the right, claimed under an alleged custom, depends on a fact too vague to be ascertained, or to be made the subject of a regular ifrugas if the such of a particular custom to, that land shall desiend to the most um they of the ounces kindred; the custom is void . - 6. It must

of Municipal Law. he compulsory: Otherwise it cannot constitute a rule, as can be inforced; It is consequently distitute of the ony first element of all municipal or civil laws. Therefore a custom, that all the inhabitants of a cutain district shall contribute money for any given object- as a road, or a bridge - at their own pleasure or discution is rugatory + wid . - 7. Diffrunt custom, visiting in one of the same place, or extending throughout the same limits, must be consistent with wech other. If, thurface two customs, proud mus to so wit co-cair, de fueto, me repregnent to each other, they are both void . For him both of equal antiguity, no superiority can be assigned to without the by newform consequence they reinfromly dist & 43. 114. 1Roll. Abs. 565. 9 Co. 58-1. Alack Com. 76-8) Particular cristom, which drogate from the common lawfie which are are represent to general cusin pari matrice, as being within the same reason as these must be confined to week cases, as are within the letter, or expelsterms of it. ( Black. Com. 78-9). (8) the surgest of front the land to the transfer to the trocking to be tell with fill provident the mainte 8. In treating of particular customs, I have tren, intentionally very brief; as I am not aware, that the such pet can be of much practical importance, in the United States. Nothing more, then fore, than a very general epiteme of this tranch of the unwritten law of ingland has been hur attempted In tilliam Blashetme, in his invaluable commentaring has dasped the less mucations or Law
merchant, among particular customs [1 Blash. Com.
75]. But this dispision is manifesty, incorrect.
The custom of merchants, which forms this branch
of the committee law, is not, like a particular cas
tom, confined to any particular place, it to my
local limits; but extends, like all bounches of the
common law, throughout the whole realtm, a state
hours, impares local limits, it is merculinded,
in its operation, than any part of the men municipal law of any state, or country; for it is branch
of public law, and as such, has been incopsrated with the general law of all circuid nations blasse. As. 16.19].

The iles muchant then, constitute a fact of the common law toth of ingland of the Minited, in its of the states: And there although it is limited, in its operation to certain particular transaction, a concerns; so also is very other from transh of the ion-more law. Hence it need not like particular cas-toms, be preside pleased! Sall, 120 the cause all prings are presumed to know it publicably fare sound, judicially to take notice of it, as a part of the general law of the land. In the same reason it is not like a particular custom to he trink prings

inist of the inverteer harries of Juste, have been to no small extent, and income, suind from the civil law of the Roman empire, as collected & digeted, under the superior of the emperor clustinian () Black ign. 83.

The civil caw is also, in some degree, interworm with our own municipal law- equially with those parts of it, which appartain to equity admirably junisdiction, or to their which relate to produce of with the administration of the effects of intertates.

Me init canon how though forming a tody of with saw; in the inight whome of imperial to papel Kinne-augin ingland, the installation for as they me adopted in cither country classed with the writing have such the writing as in Ingland, not to written markerity, and with the written is in Ingland, not to written markerity, and so with the signification sention; but to heir adoptions, such signification sention; but to heir adoptions, such time, in momentary, or amount usage, in particular and a certain particular counts ( tale, A. 2. 2. 2. Anothern 74).

Such parts of the inglish law, unmitten, or written, as have the authority in the mitte States, were generally our their authority here, to a dismilar same tion. For mither the inglish, nor any other foreign, lawis, the the their as such tarry intrinsic force, in way of there starts: Since no soverige state can be under my natural obligation to derive its jurismutione, from any other cornighty. To far, therefore, as the inglish in, or any part of it has become our our, it has inome to, by . oluntary atoption, either in our courts of justice, or by beginstoned our ligislatures. But from the ton home wines this distinction: Such parts of the english law is have bushine ordthe case, by the menting of our court, from hart of our court, from part of our court, that have bun re-martia, in our equilations, constitute part of our within, a Matite law.

And is those colonies feeling, by the results of the bound in the both of the American resolution that states, were peopled, chiefby, by imigrants from ingland then dependencies; they with a colonies of a tomign state trough naturally attention, with some qualification, the colonies of the inglish junishmentation, the great principle, of the inglish junishmentation, the great principle, of the inglish junishment of ingland, as their own. But, as each of these states has its own persition law to institution, which

sing of right & expediency, & indimenting of the control, or concurrence, of any of its sister states; it has usualted, as a natural, & almost of the english law have been informed, what diments of the english law have been inspendence of the serval states of the American sinispendence of the serval states of the American sinispendence of the serval states of the American sone in dependence from the proportions, in dependence of the serval states of the American proportions, with any thing like approximation to increase, would be a task of no small difficulty not only laterious & difficult, but alterester extending for byond the rope of the present treation.

As however, the junispendence both of the coincin,

It he states has, by common consent, been from after

modelist, in atmost all rejects, after after that of in
gland; in democrate to may the state judicial tribunals

of our country have generally adopted & followed the

decisions of the originh counts, as precedents, proper to

le followed, here; it sums correct to my that common

fortions

law (with the exception of such forty of the inflish common

law (with the exception of such forty of it, as share the

or to the nature of our form in the testions), on is

prima facie, to be seemed laken, as part of our own the

municipal laws of these states (y); this, throughour soiot

(3). This observation does not apply to the state of Louisie.

42. Of Municipal Law. to be whitely by mer courts, which it ian to shown to be at-and, or un reasonably Bruck com. The server, 383-4.390-3. The same remark may be extended to the a certain for tion of the statute-law of England. For it sums generally agreed, that the original colonists, who commonce telthements, in new region, rejularly carry with them as their a birthright, so two much of the law of the puret country, as is exthat, at the time of their migration, & applicable to their new will condition & circumstances ( thank. Com, Judin ed. 44 429 2 1. Will. 75. 1 calk. 411. Coup. 204.1 Black Com. 100-8. JA. Tukin ch. 280-4. 290-3. Kirls Acopling to this principle, which appears to have been recognised, to a quat in that, in the judicial thitamels of our country, I this principle which appears to have bun recognised to the a considerable extent is admitted to be correct, it must follow that that portion of the English statute law, which was in force in the kingsom, when my of these states were institutes, other nine from by linglish subjects, is, finding to the Jame wetent, as a the End like common some laws. All such ingish statute, as how how since mailed on on to all the Jame States, more griffer laws. But no such digtion, otherwinds new or ancient of modern ruly, can be applied to the common law, of which all the parts are during equally Justin, Justin, But to whatever extent, the written or unwritten - hwo ingland may have her adopted, in any If the states, its authority is singustionario, subject to the will of the couring hours, in such states, represently,

## Il Municipal Jan.

I have, of orme, to be aborgaled, or right and harten in whole, by their several ligislatures, yet, as the English common law, at least, has been is generally recommend, rate place, as a part of the municipal law of most of their states; our courts of justice, Semeing, we principle under the time not now at literate to reset in surple under the time they it with your writerous, already caprefed—i.e. unless the states of their court to me principles rame to mapplicate the property of our considerant, by the people of our country, as the sule of their civil conduct, it is defining the measure of their wife with a state of their wife with the state of their wife with a state of their wife with the state of their wife with a state of their wife with a state of the wife with the state of the wife of the wife with the state of the wife of the wife with the state of the wife of the

Not long after the wint-light man of our never mational government, it was formally made a government, it was formally made a government, before the circuit lout of the. United States, for the district of Commentant whe there it was proposed for any one of these states, to have a customary law of its own, different from the common law of england. This greation was raised, on a proint, in which the worst of the state of Commentains had intentionally rejected a rule of the laytick common law, the tritated is different one should the objection to the latter rule, was, that it was not immensarial; terresponding course

Of Municipal Law. be valines) imasmuch as it was first introduced within the time of ligal mimory- i.e. long since the acres. in of Richard I. to the English throne pante of The court however found no difficulty, in wargning the authority of the rule established by the county of the state. It may indud, weith some inpring that such a point should ever have been raised, when it is considered, that it was by the sole an thority of these court, that any part of the English common law had wer been originally arother in the tate or indua, that any system of moretta customary law had un existed in it. It is also especially worthy observation, that the English fixing the date of light mimory, is noronly altogether whitiany, offictitions (ante S. ), but alsobutily inexpeth of application to any of the United States, since none of them existed, until after the lapse of centuries, from the right of Richard I.

II. The second great ranch of municipal Langion 15 of the and legislation sets, or tatutes paper by the legislation hower serve in tenominate written Saury because their original institution, or onar bruint, is in aniting; and have the statutes of the state, taken collectively constitute the body of its written Law Black.

distinguished from each other, by Lesignations, which me experience her respective of principles natures, or principal qualities. Thus

I Statutes are either general, or private, in hublie, or private. I general, or public, statute is affirm
one, prescribing a universal rule, which regards the
whole community, or state. Inthe a statute is, there ore,
like the common saw, a part of the general law. The
land, of which the court of justice, in the state, are,
exospices,
presummed to know, or bound to take notice of, although
"It be not, fas induced, it never need be), hecially blacked,
or set forth, by the party, writted to the longit of it. Mark,
com. 80.

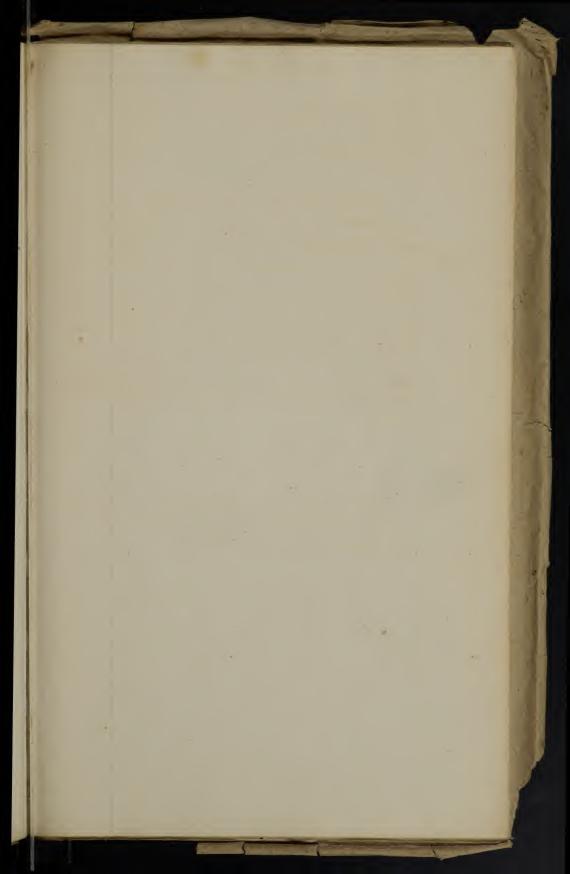
harticular instituting, the tratue of executions to the funding and in the nature of executions to the general in of the state (as, for example, an act, ore aling a private convocation, or methorising the sale of the lands of our infant. Bint Special Stabiote, must true for

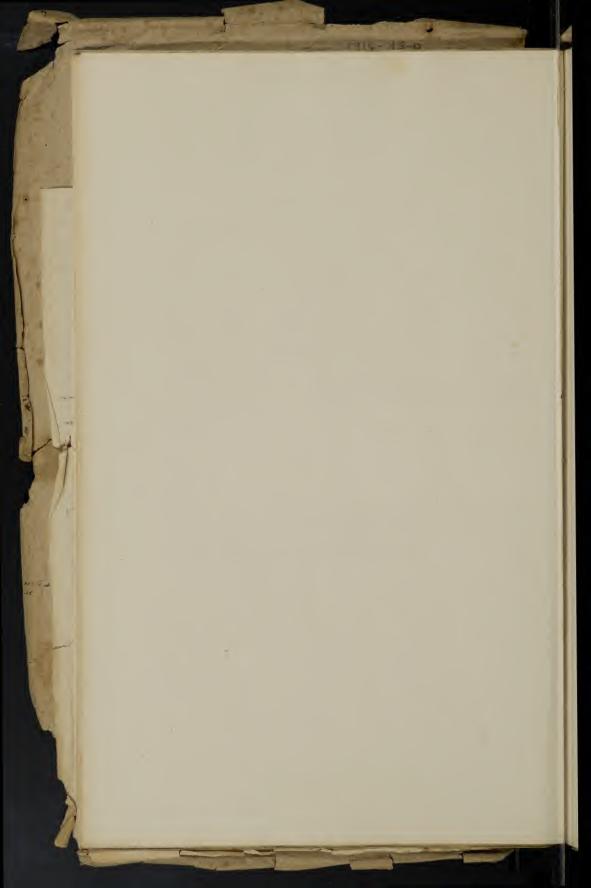
of Municipal ann. in general, be pleaded thrown by him, who would found own legal claim, or defence, whom them: Since courts of justice can take no judicial notice, judicially of every other, than the general public law of the land 24. 4 Co. 76. Cro. Sac. 130. 1 Saund. 193. 2 East 344. 1 Str. 167 Long. 3-8.380. m. The citiz distinction be tween for this & private statistis, trough expression plain " in tallegith injunge, is till in its attend practical application, not always obsion or easily settled. Most putbit statutes are indud, and directly of summerity or the contime tion tof this sind the state, without dis-Those of wery - of fairer thousing of distributions of limitations of actions - & of almost all others, which are held to be public sets. But, in some case, statute, relating immemunity, are never the sign relate to be freshir; while others, answering pricing the same descrip tier, are es speak private and, to distinguish, committe between the one the other days, in case of this kind, has some-Times been found an undertaking of no inconsiderable difficulty. But, to obriate this difficulty, the law to francishes a soitein cult of discrimination, as definete, plain, as the nature of the case admits, viz.

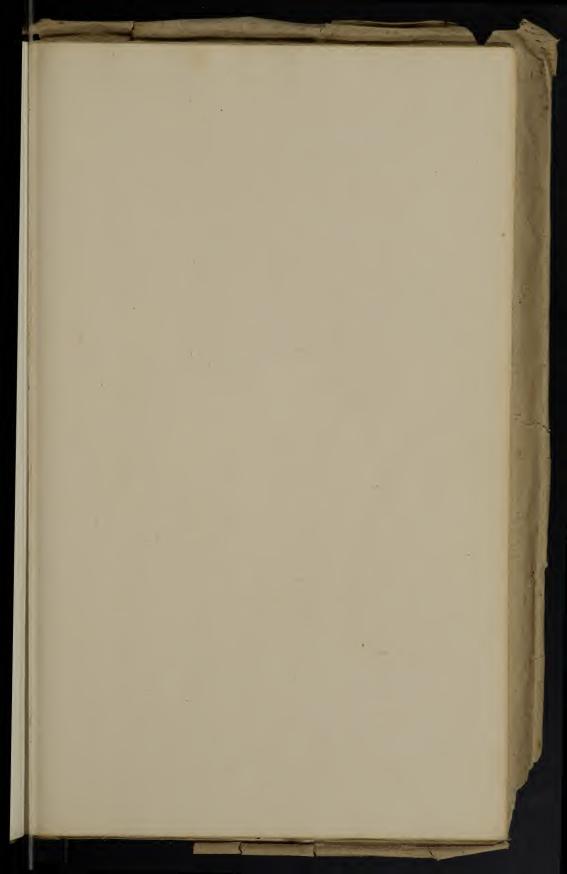
If the class of pursons, to whom a statute, in its time, exclusively relates, amounts to a present what is caller, in science, a genus, i.e.a class, comme honding I divisible into, subordinate daps, or species, of persons); the statute is public: But if the day, named in the statute, sousting to to which, alone, its provision relate, constitutes only a prices, i.e. a class, which can be divided only into intiatual individuals, it not into different classes, the statute, is generally, private. Thus, a statute, relating to all person, who prace tide any of the mechanical art, is public; beame the dahof prisons, who practise such sets, may be divided into siltinot milts, how maken, cooking of many others: Burk statute to proving only of which on limited to relating exclusively to one particular body of muchaning motions ex. gr. to all companity or all masons, or all initer, is, generally speaking private; beaun the clap towhich The provision of the Materia an confined, cannot be so divided into different classes. Again, a statute, 215-puting all persons qualified to serve light prous, is kuttic; but a stante, respecting concurring to qualification of all I hirifts or all constables, is himst. A fortini a statute, comming one or more private stoud . To Jund 154. 1 Lev. 60. 1 dd. Ray. 120.381. Ban Mr. Start. 4

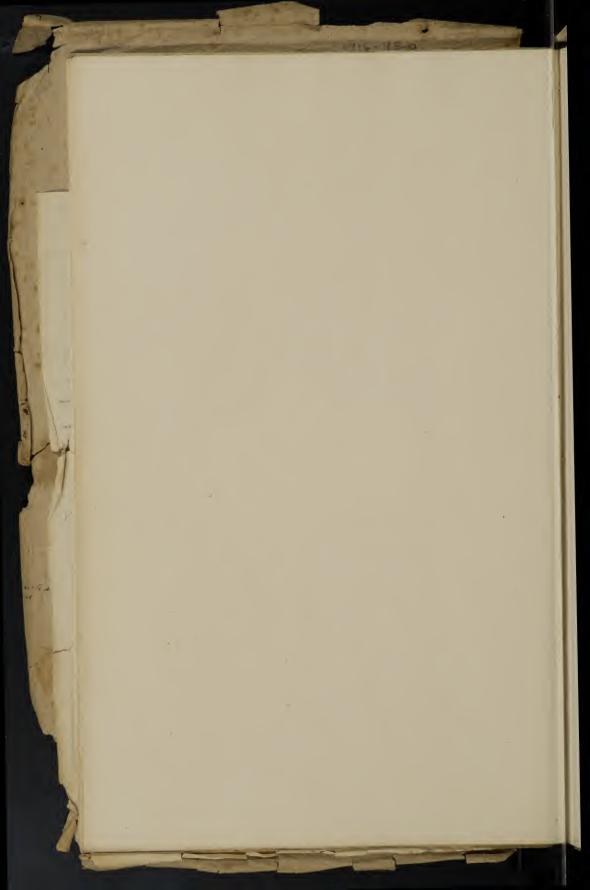
In England, worn stateth, which concerns the king or public; since he is the head of the lody politic of the Ald. 28.136. Hot 22; Sia 200. Bando. Sate Shop on the

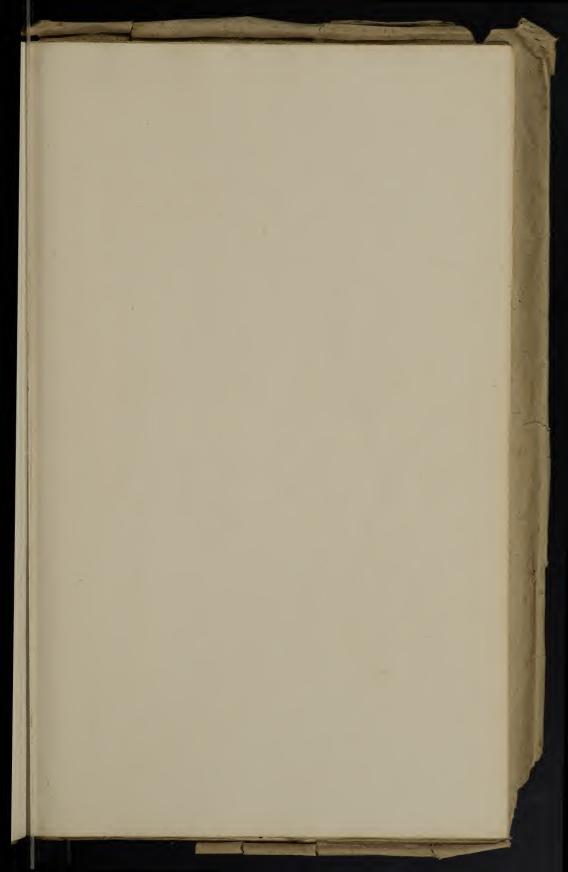
if tunnifial anv. Jame principle a startete, relating to the pre rident of the United States, or to the gommor of any the of ite Mates of our American Union, sums to he Is also, a statute, giving a forfulare to the king on the state is held to be public, um though it relates only to where of a clap of persons, amounting to no more Thun a species, Jkin 429 Bac. its. Stat. 4). It is therefore to be presumed that a similar statute here, altotting a penaly to a state, would be held a hushie act. In the same reason a statute, which concerns the proble comme, is public to gr. a tatue imposing a tax to the state, whom she currenters, or any particular days of muchanis 10 20. 57. Clowa. C5. 12 Mod. 249.013. Bue Mo. Stat. of A tatute may be purity public, of in part, private. is. some of its provisions may be, in their nature of a public, + others, of a private, character

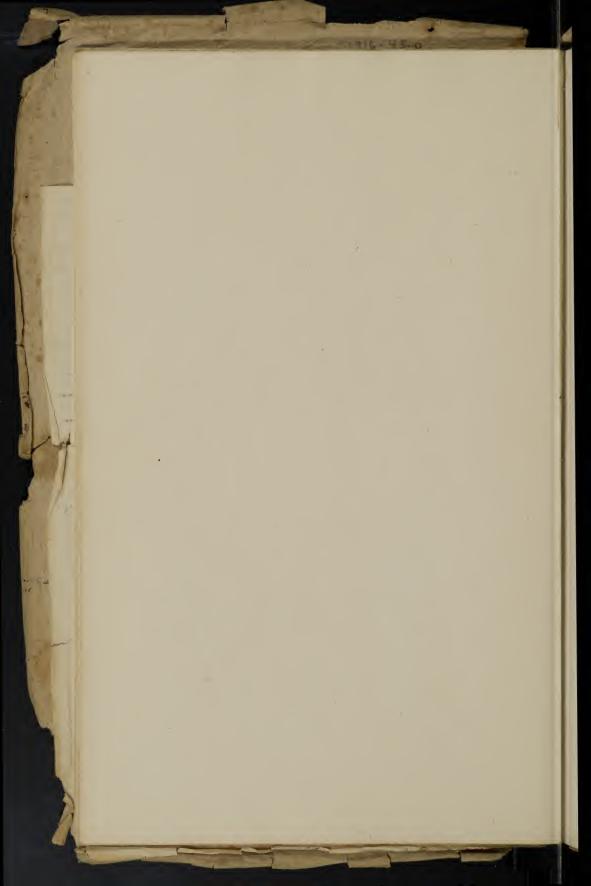


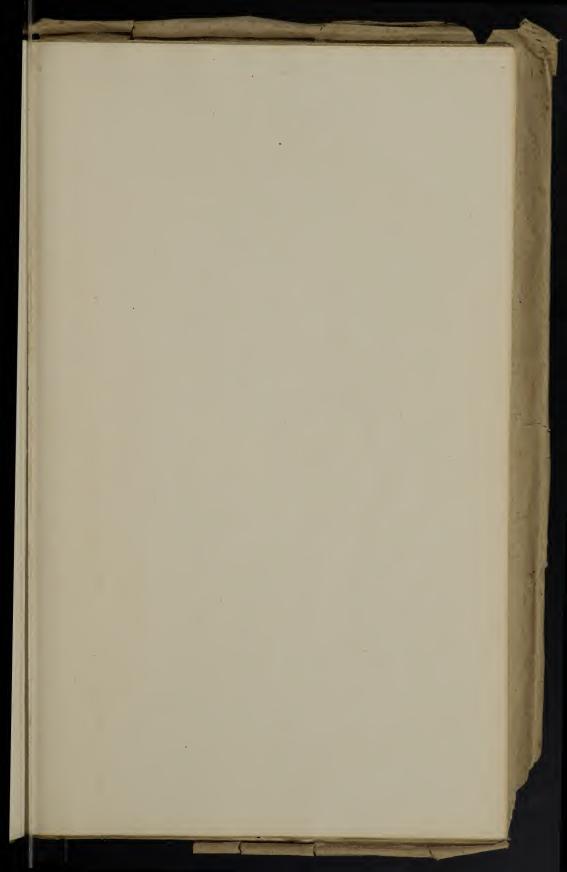


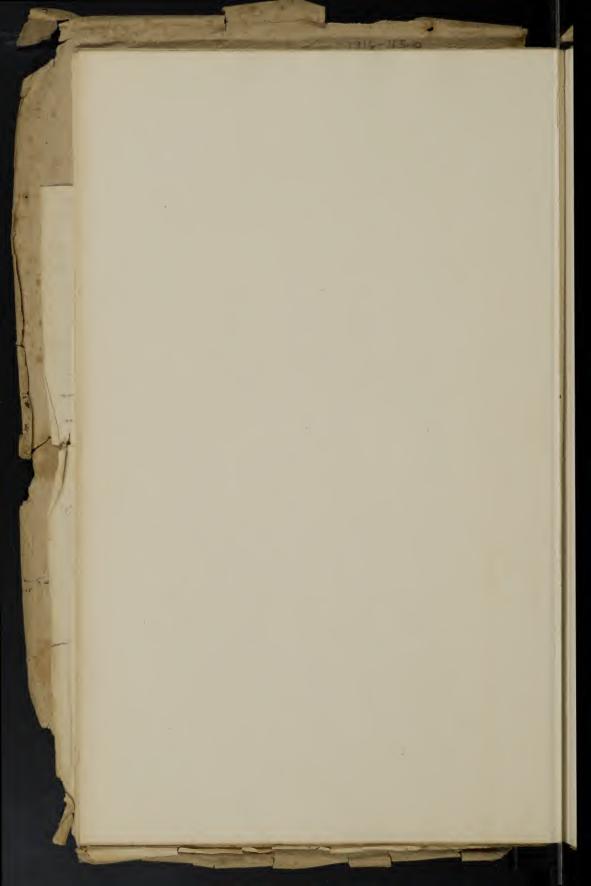


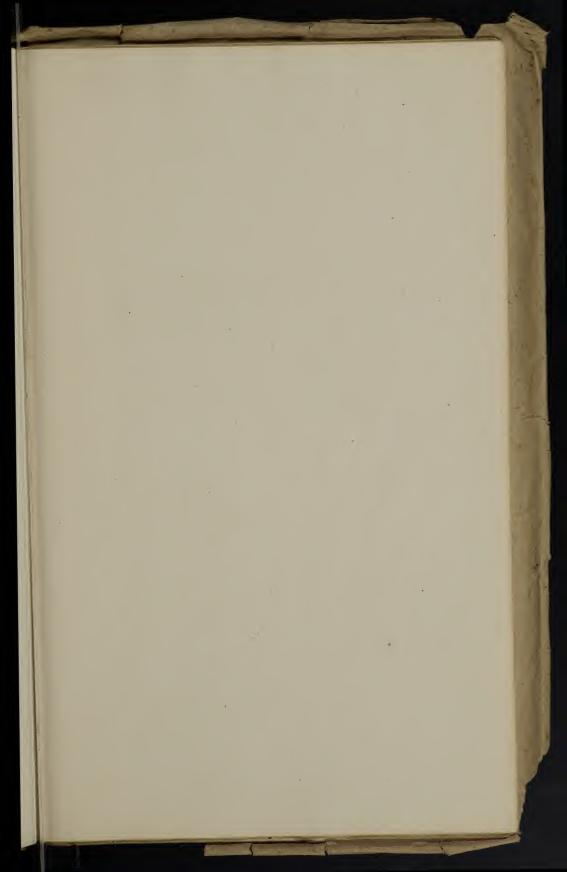


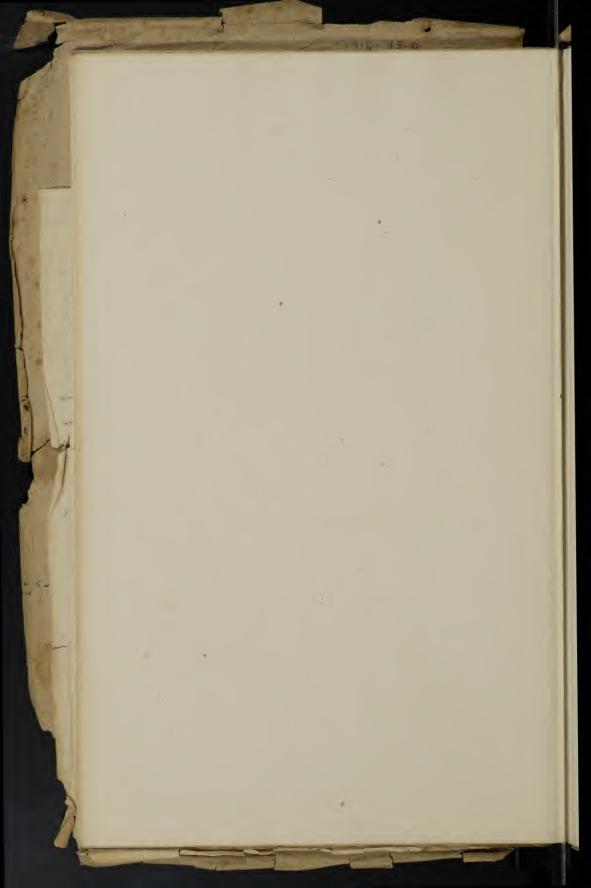


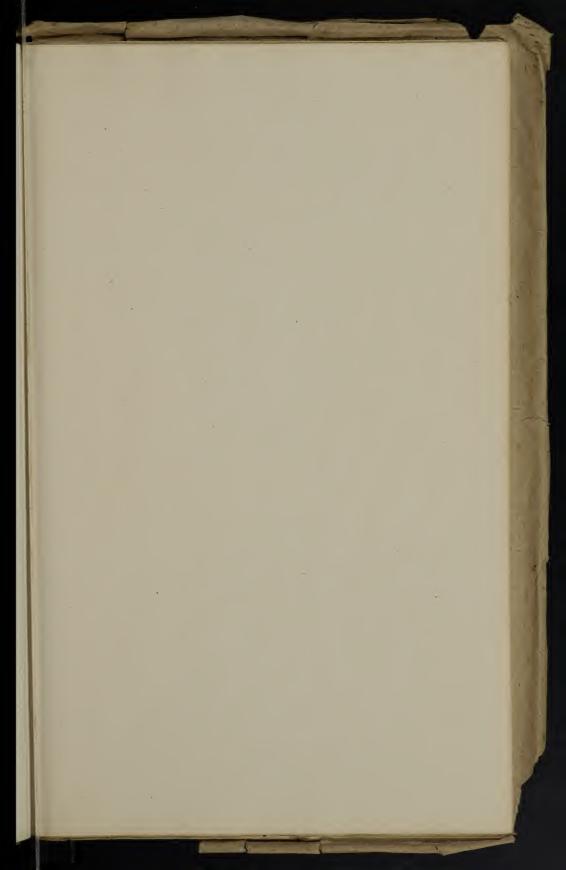


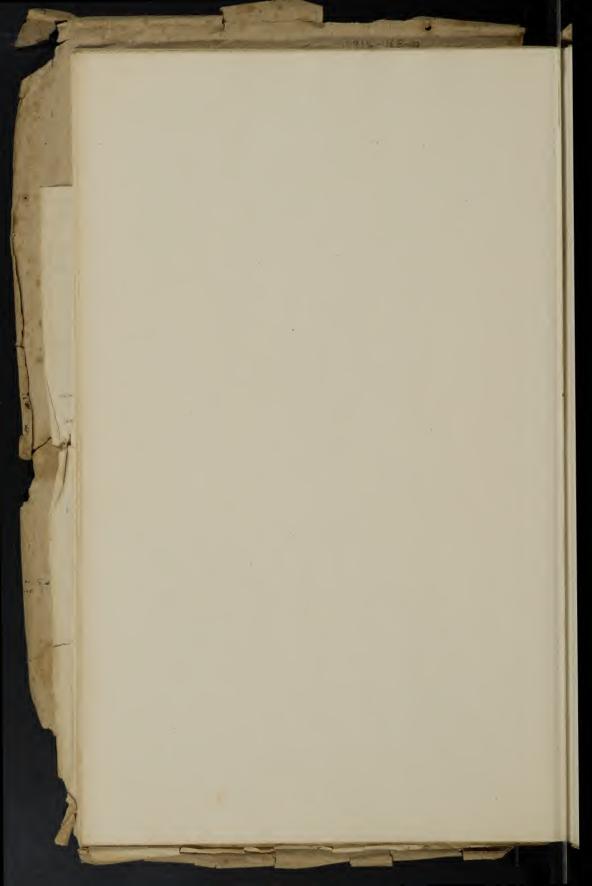


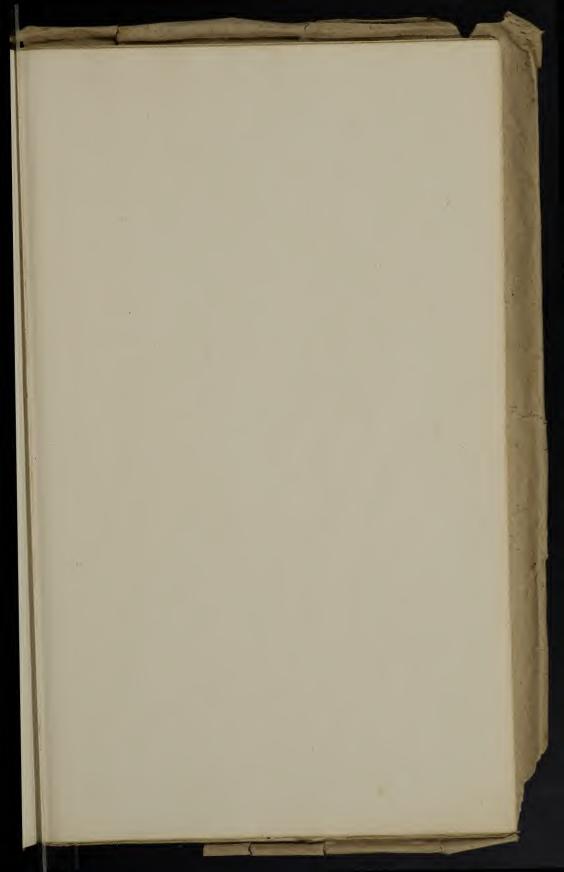


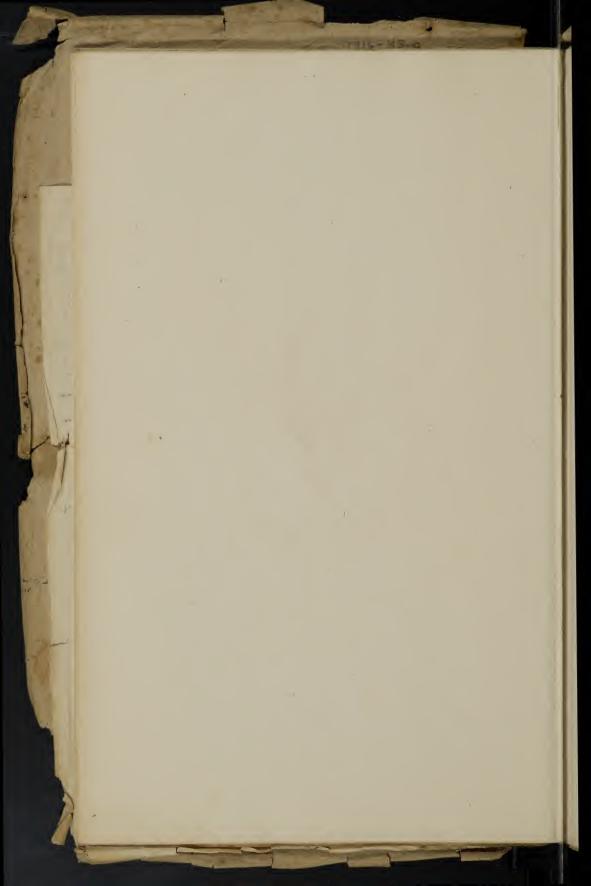


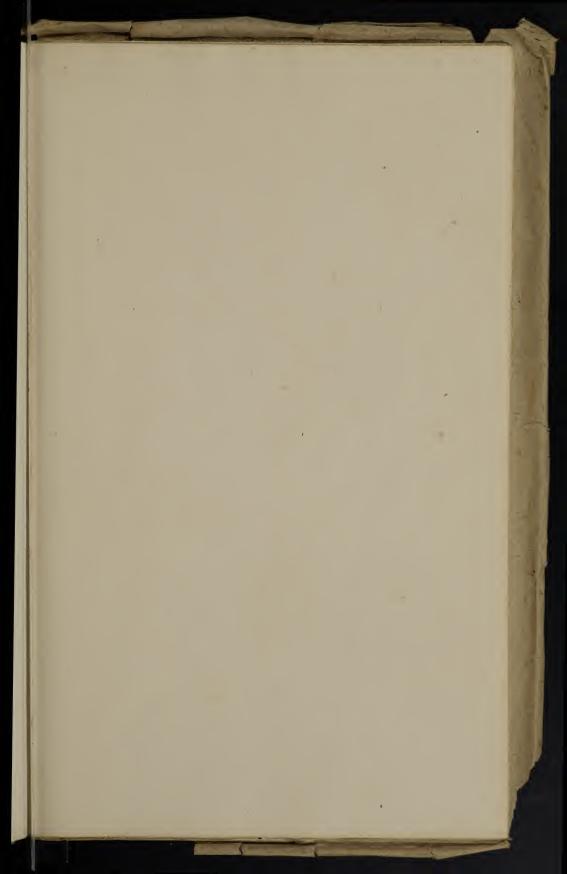


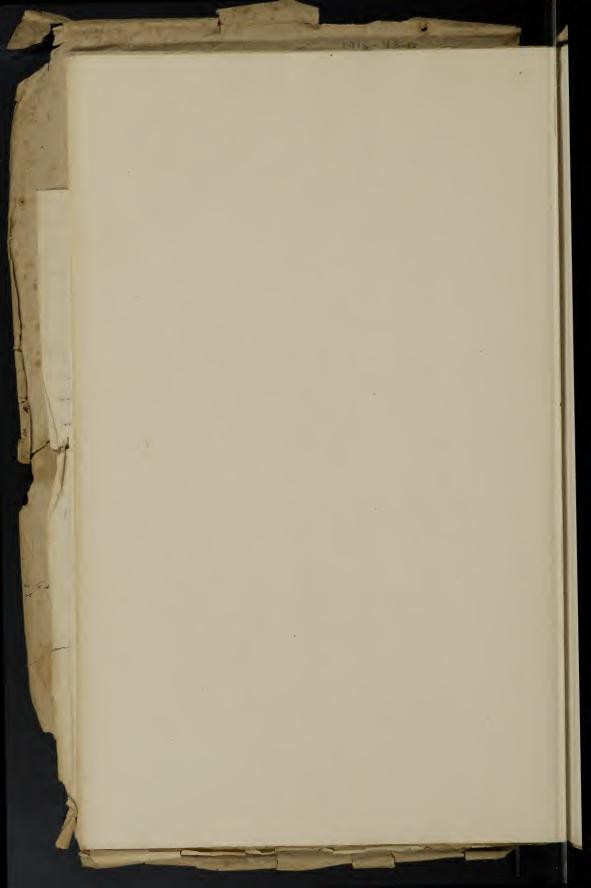


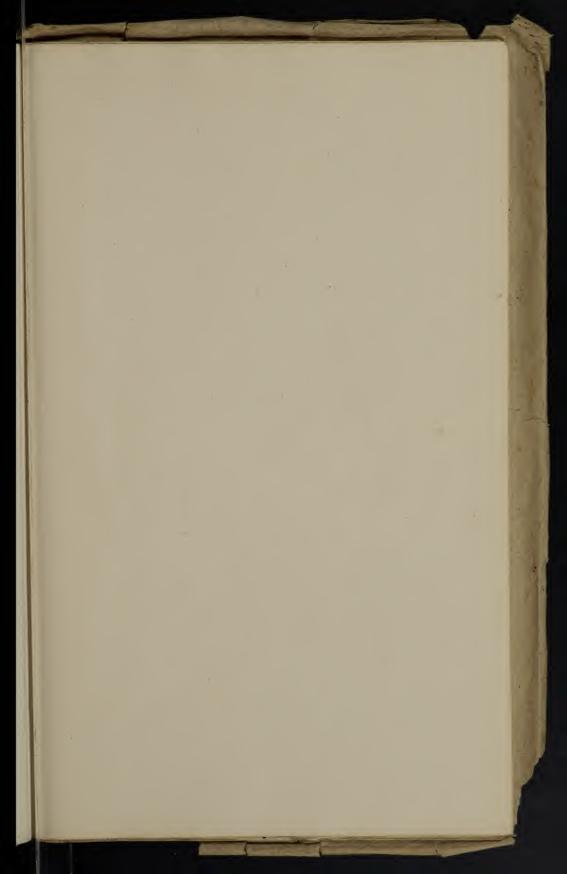


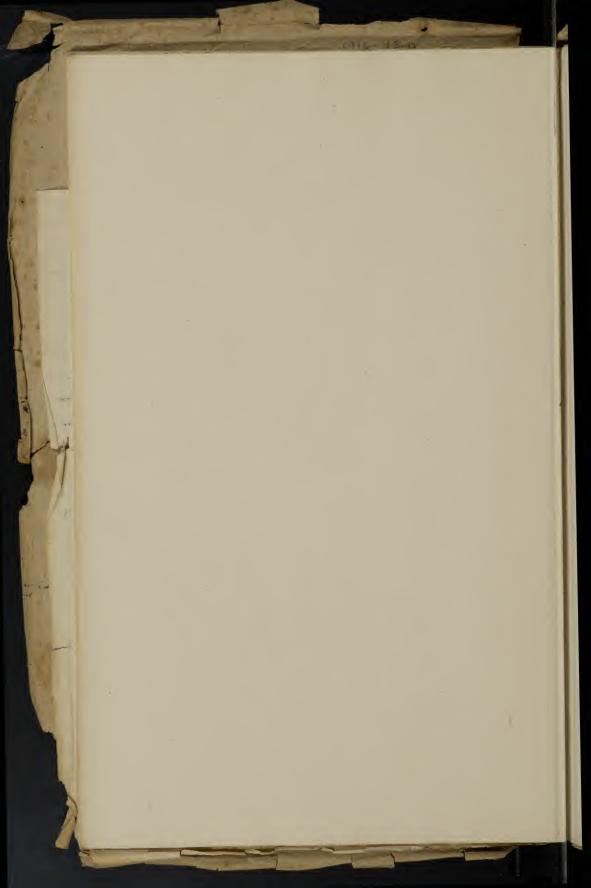


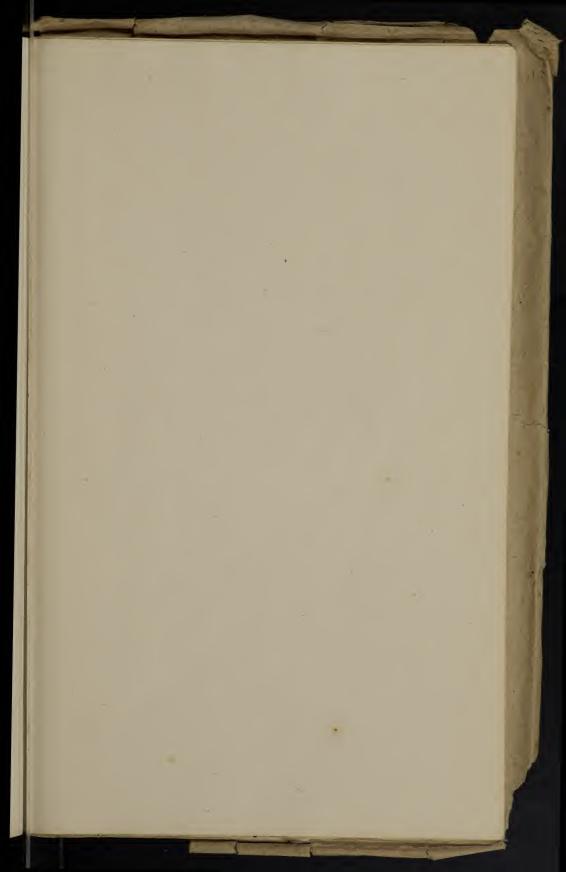


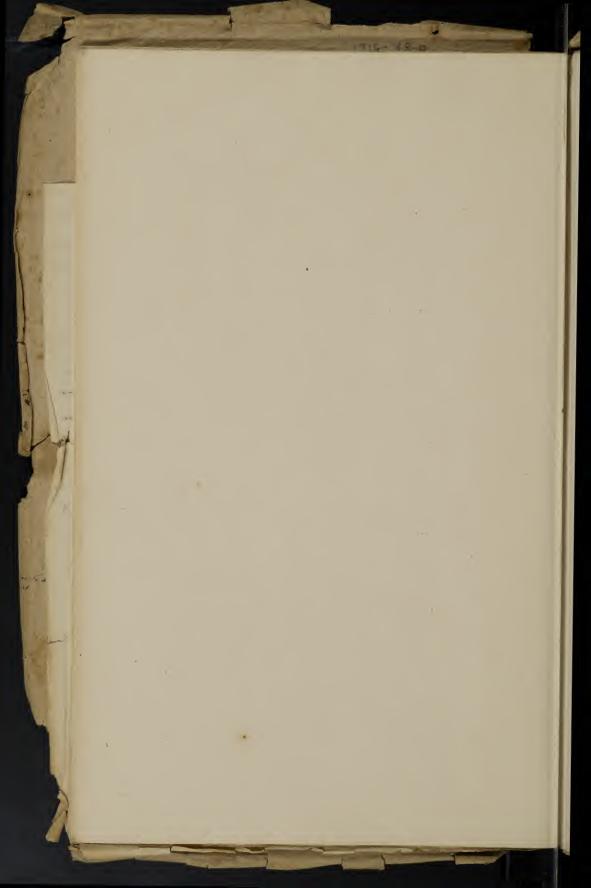


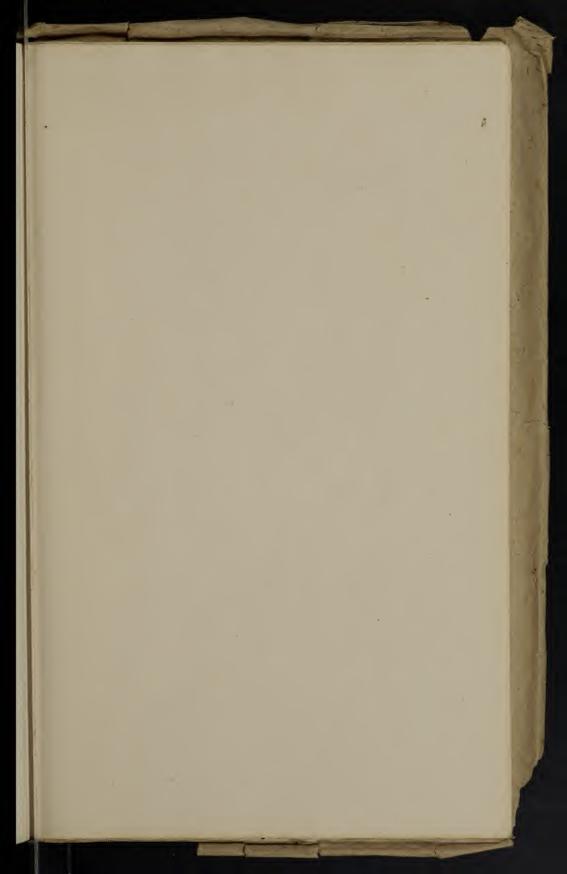


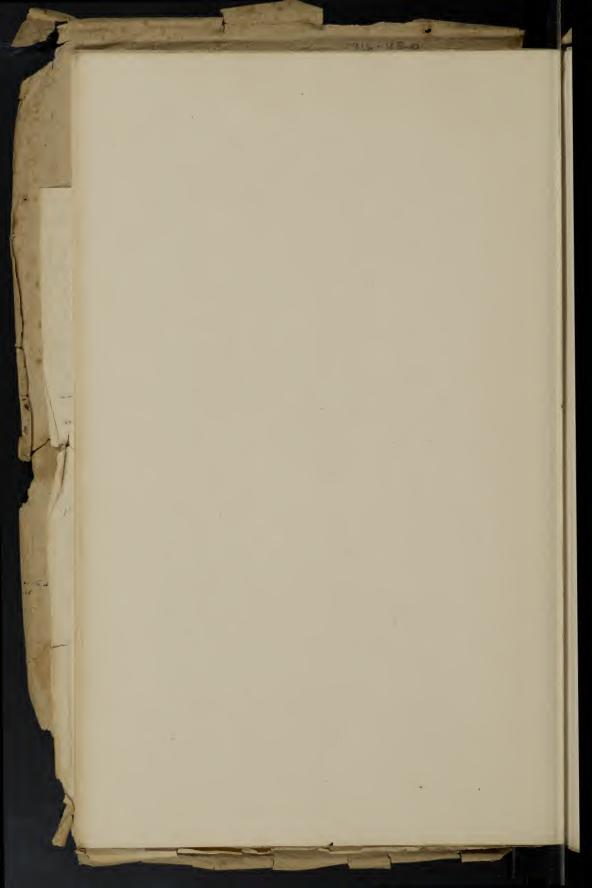


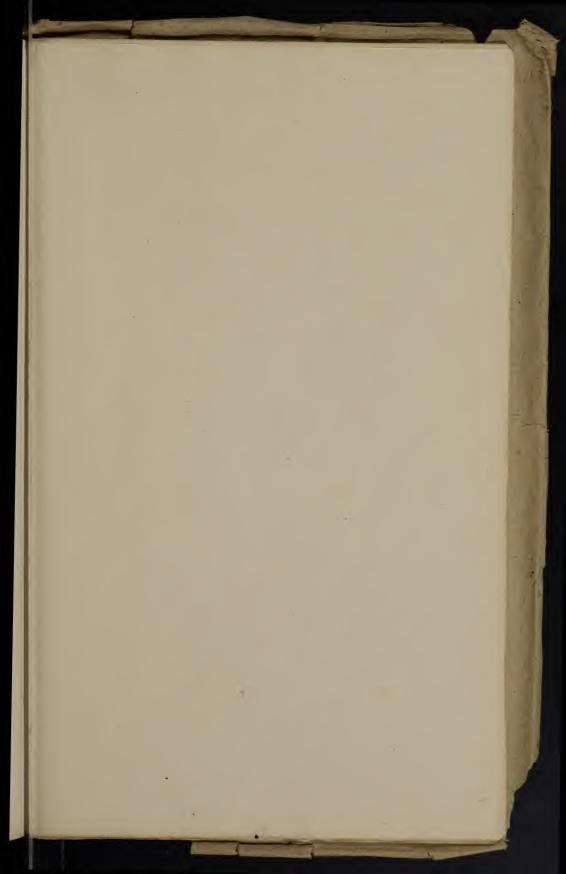


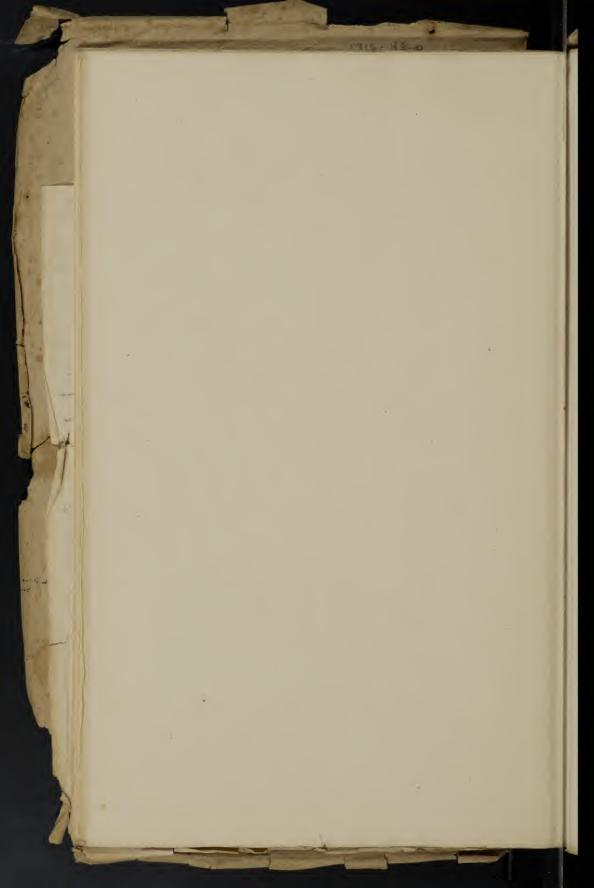


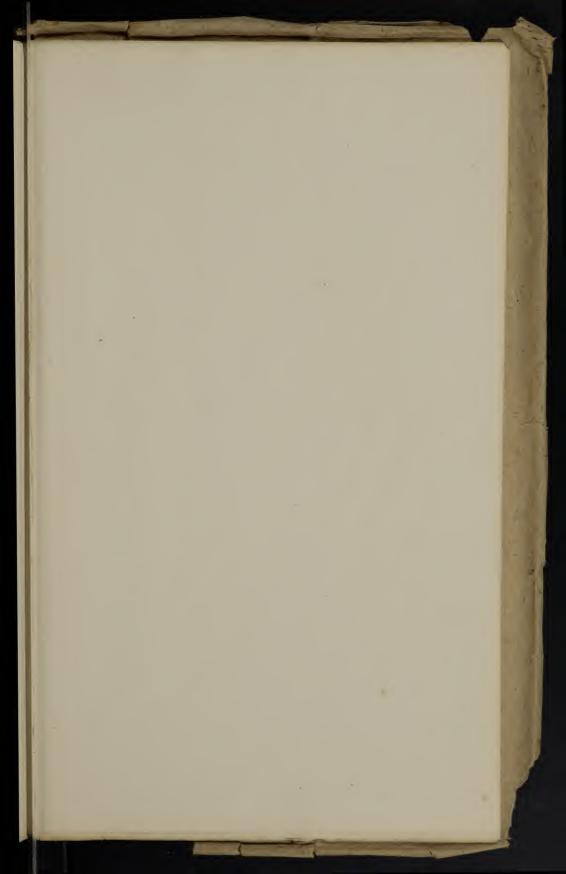






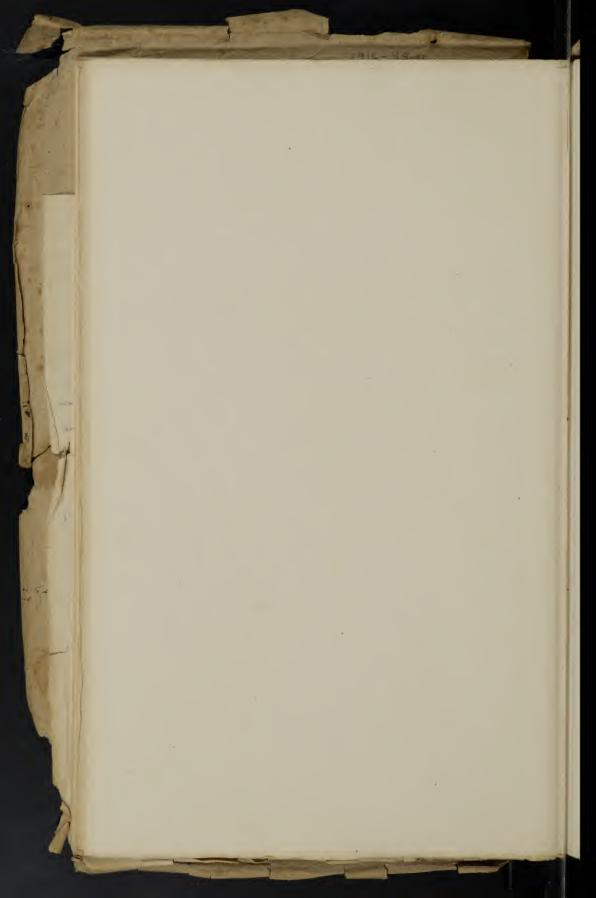


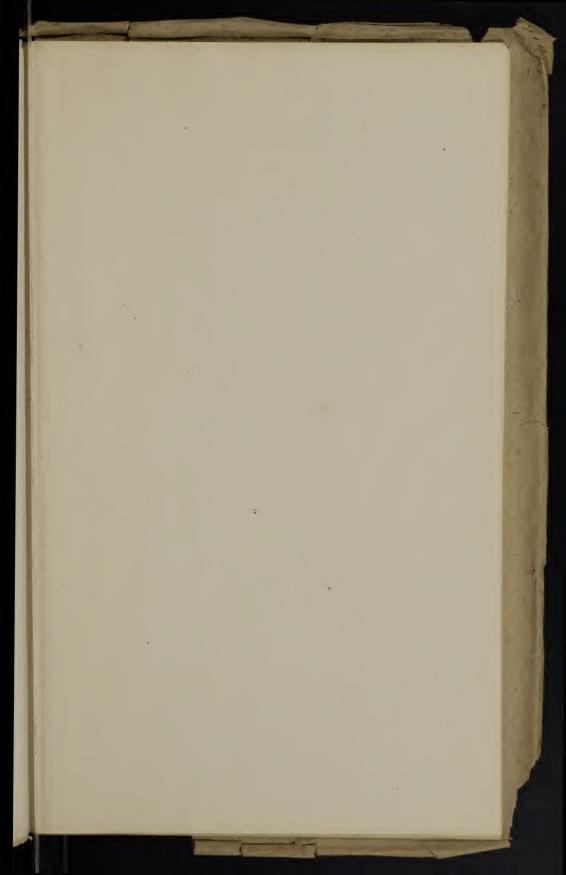


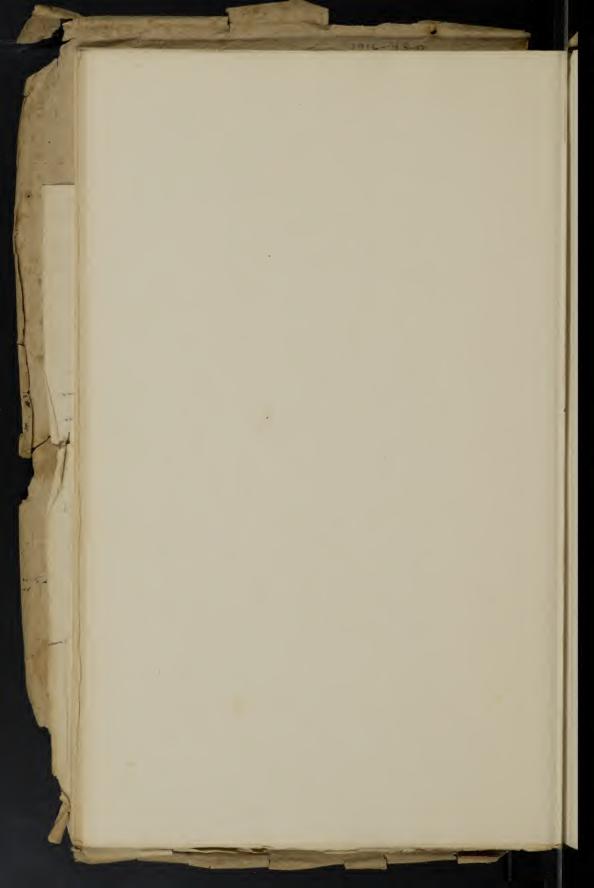


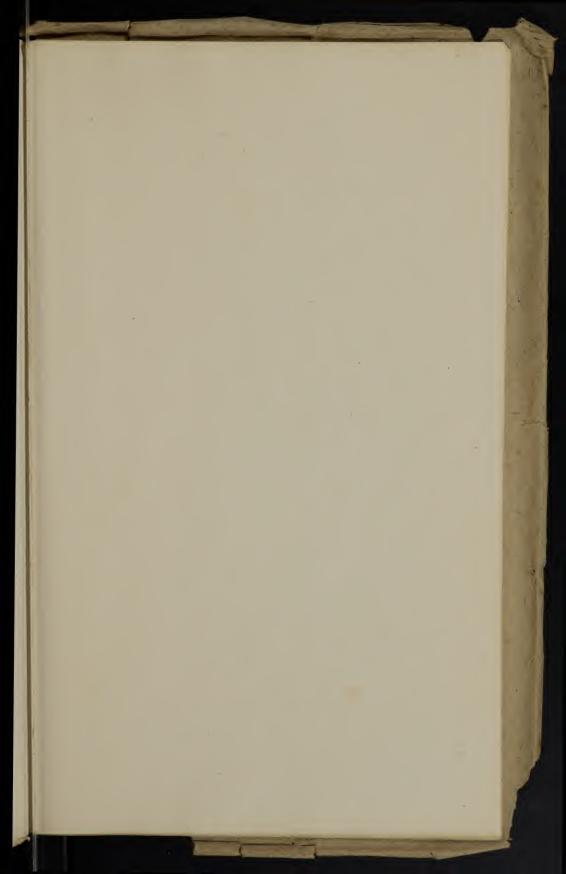


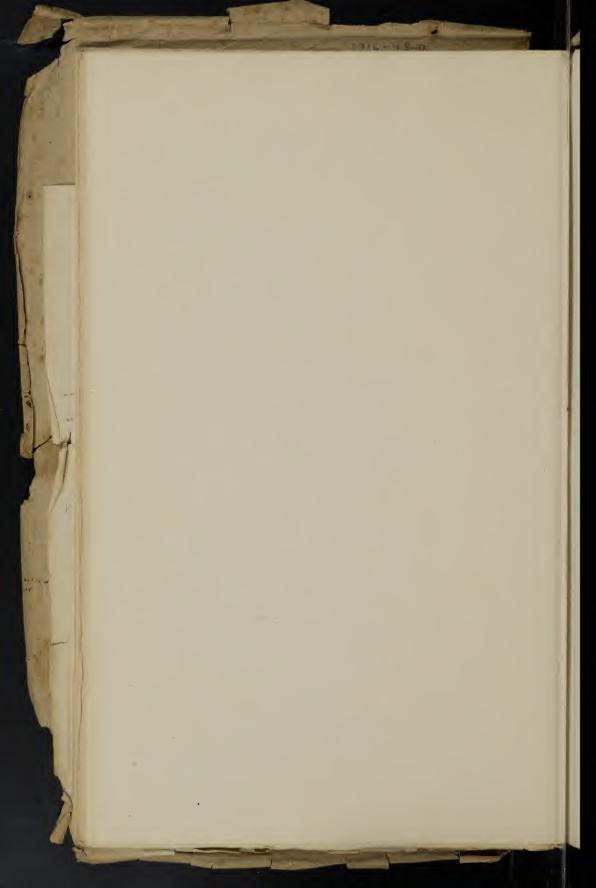


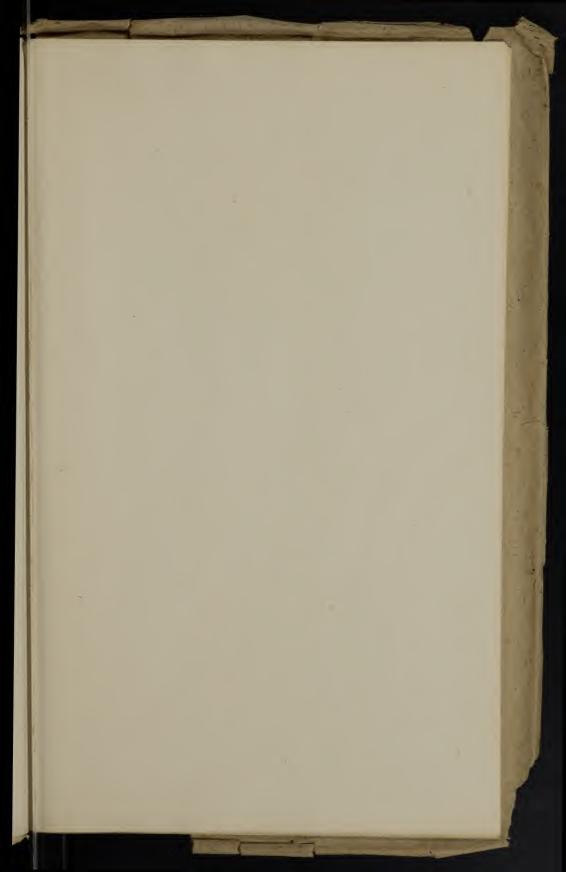


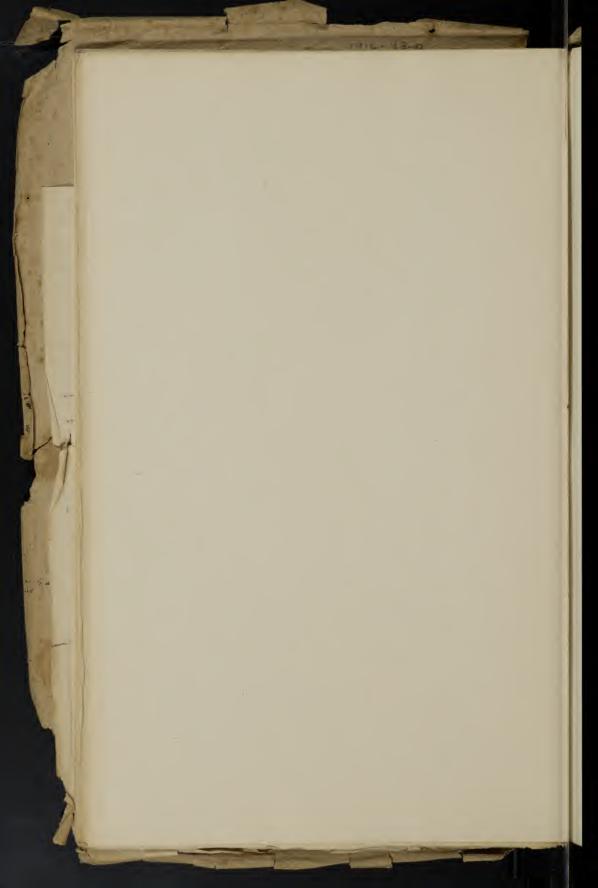


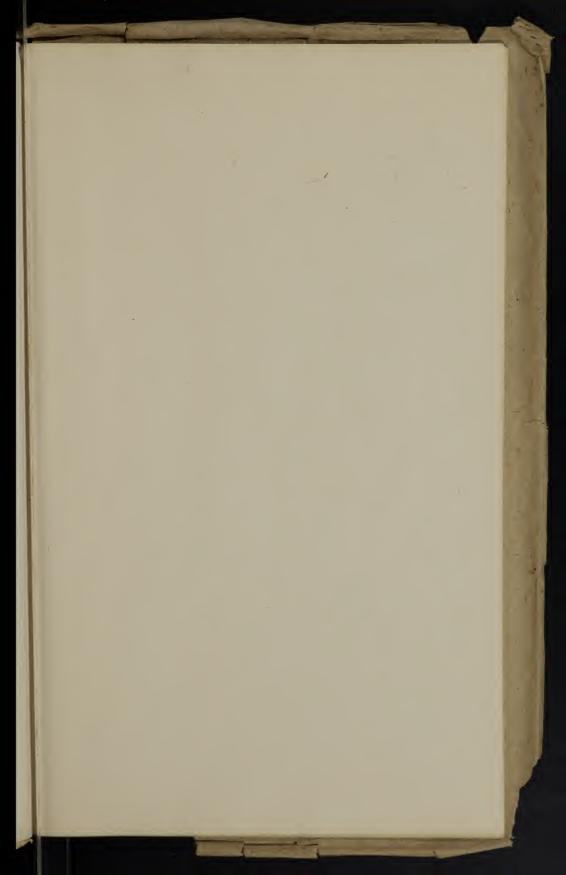




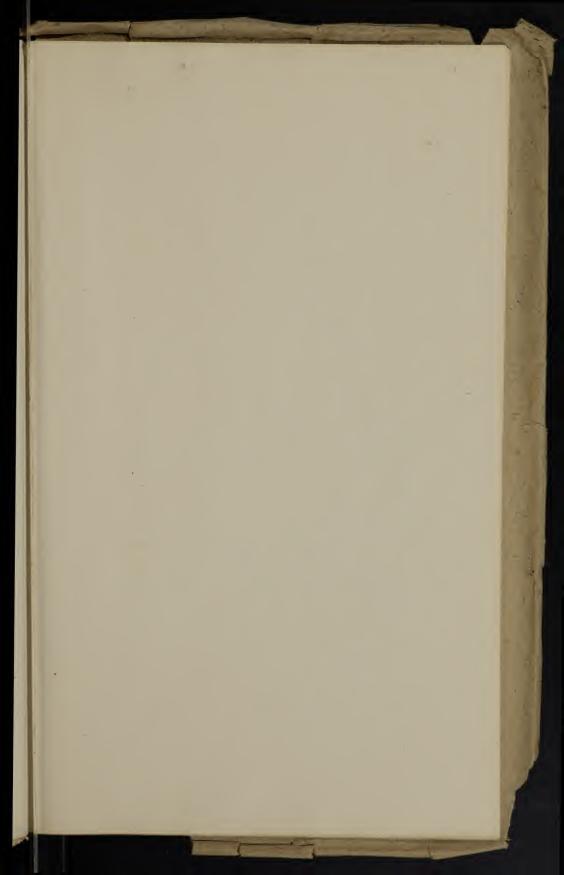


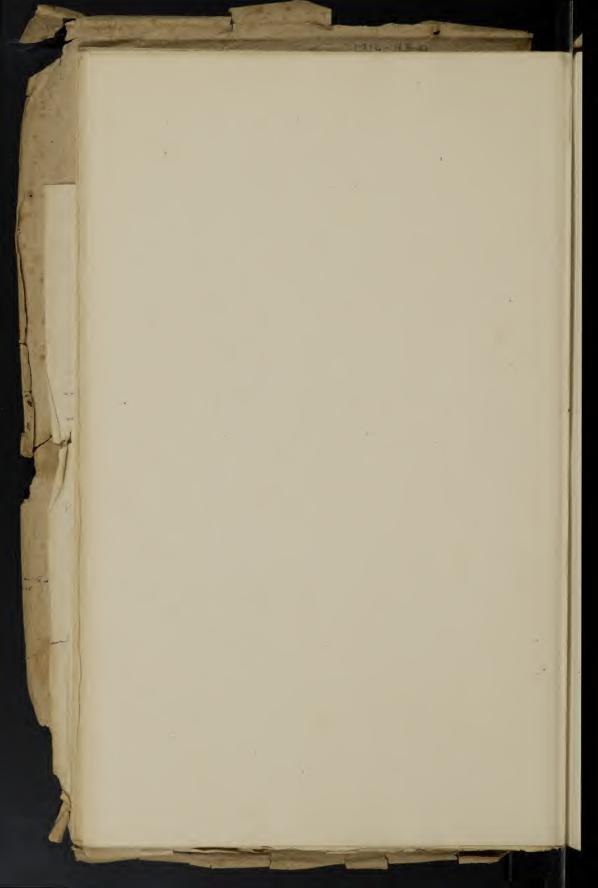


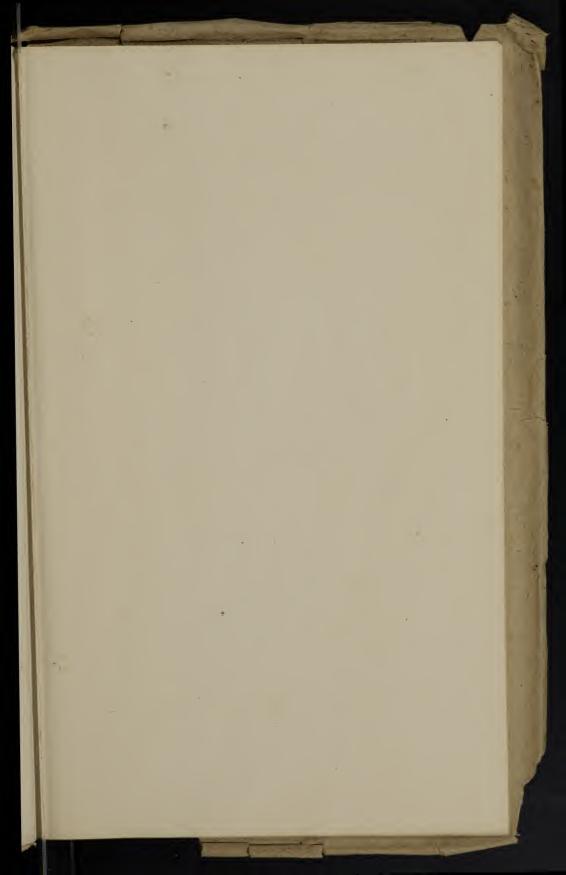


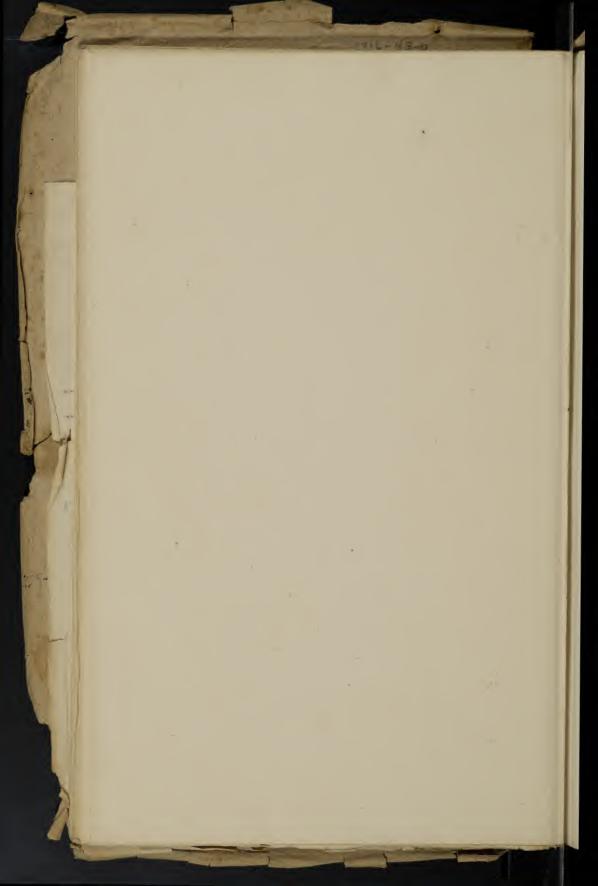


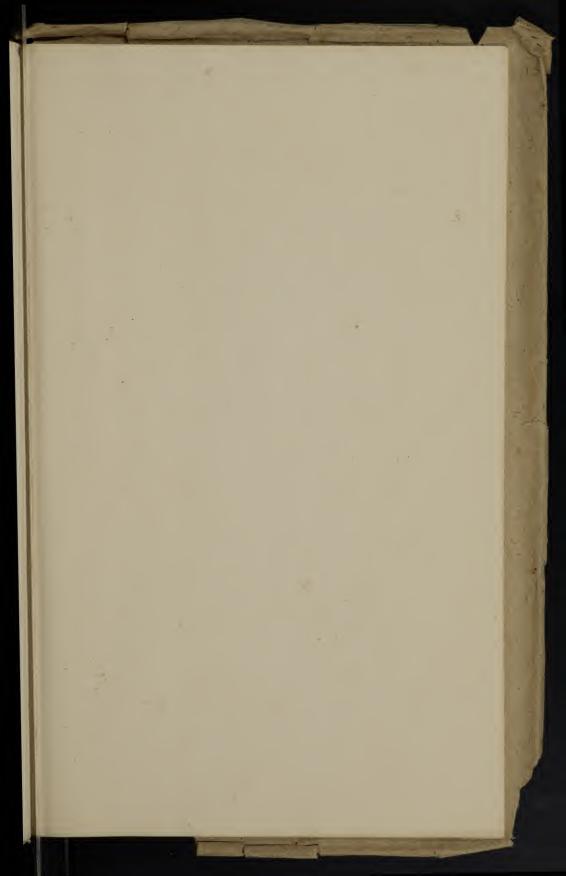


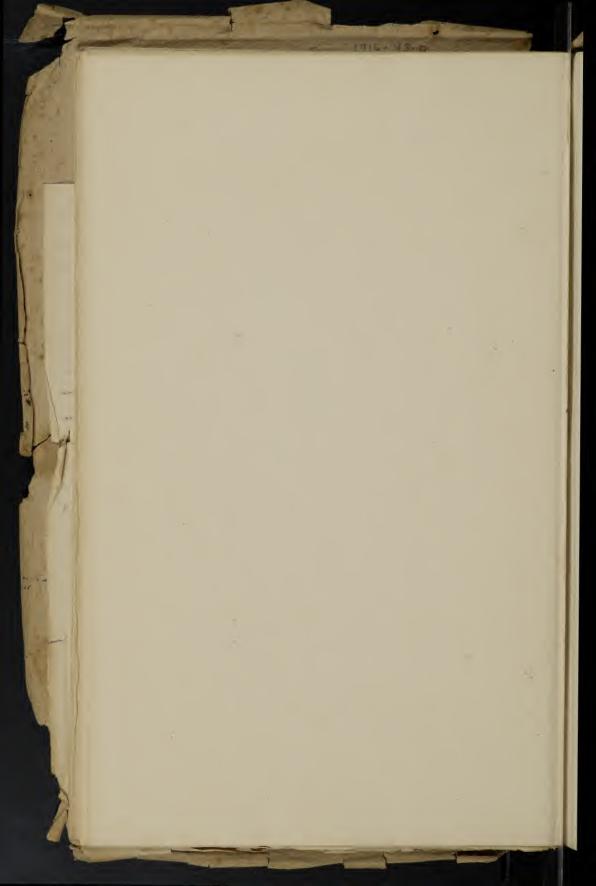




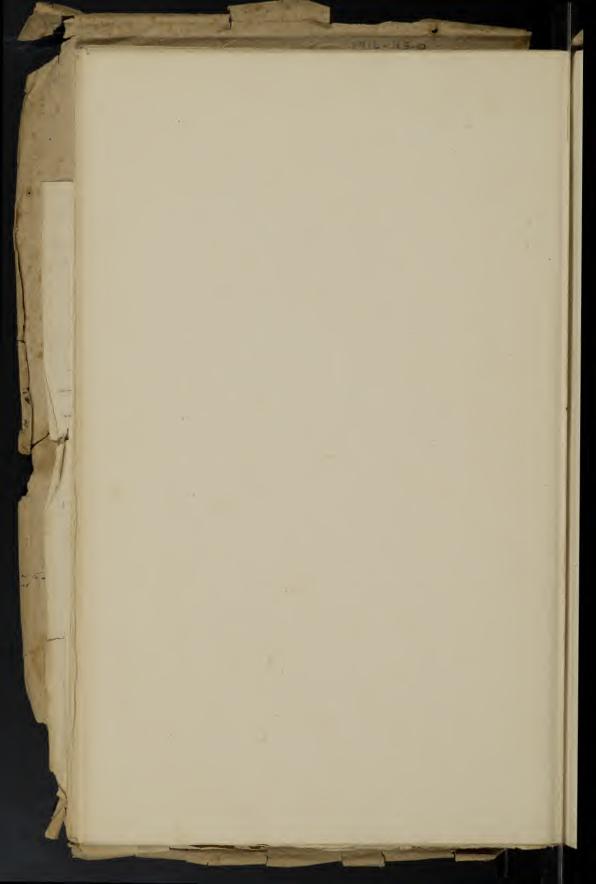


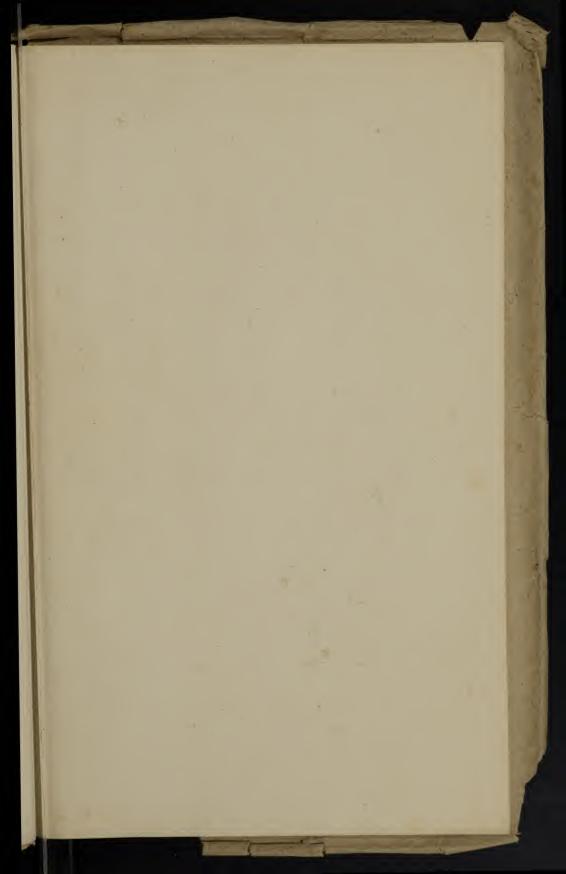


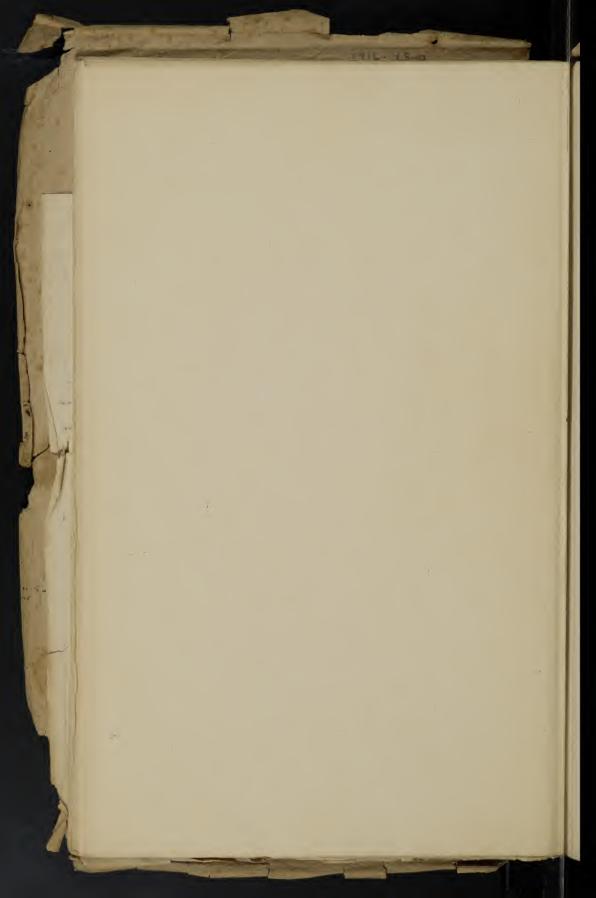


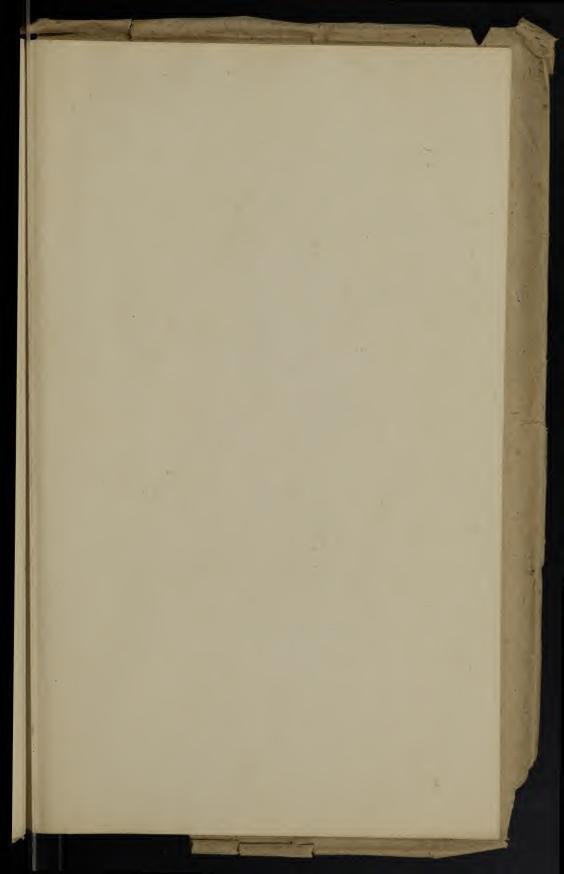


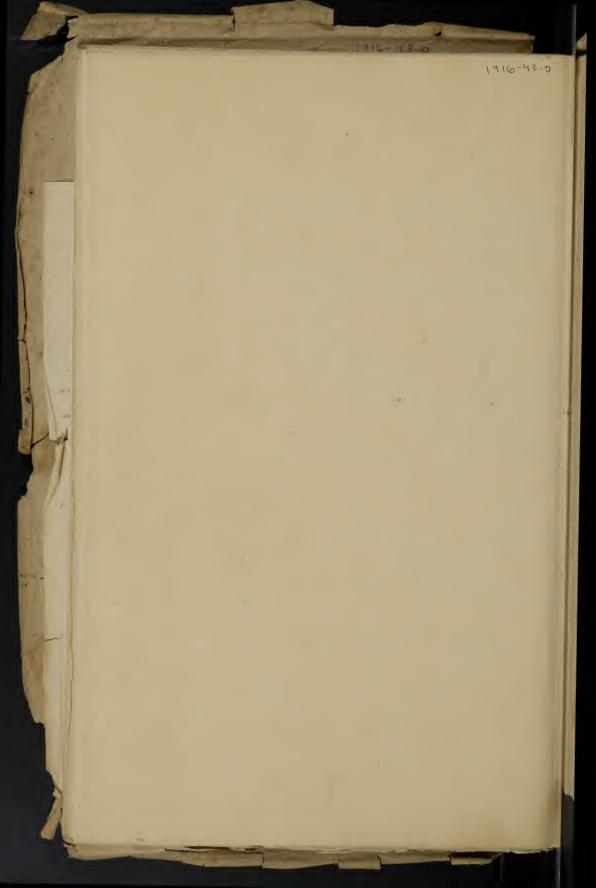












Water Per 22:17 Survey Rome 3.16 Whirly Box 1.27 Municora - Eula & E. L.

